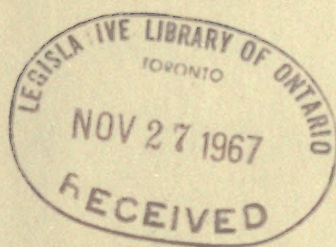


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LEGISLATIVE ASSEMBLY OF ONTARIO

FIFTH SESSION OF THE TWENTY-SEVENTH
PARLIAMENT

BILLS

AS INTRODUCED IN THE HOUSE
TOGETHER WITH
REPRINTS AND THIRD READINGS

SESSION

JANUARY 25th to MARCH 22nd 1967

and

APRIL 4th to JUNE 15th 1967

INDEX

LEGISLATIVE ASSEMBLY OF ONTARIO

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[3]

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and

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BILL 105

5TH SESSION, 27TH LEGISLATURE, ONTARIO
15-16 ELIZABETH II, 1967

An Act to provide for Municipal and School Tax Credits for the Assistance of Elderly Persons

MR. SPOONER

EXPLANATORY NOTE

This Act authorizes local municipalities and also school boards in territory without municipal organization to provide for municipal and school tax credits to assist elderly persons and provides that the Treasurer of Ontario shall reimburse such local municipalities and school boards for the amount of such credits allowed.

BILL 105

1967

**An Act to provide for Municipal
and School Tax Credits for the
Assistance of Elderly Persons**

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. In this Act, "municipal taxes" means taxes imposed for general municipal and school purposes in respect of real property assessed as residential or farm property but does not include local improvement or other special rates. Interpre-
tation

2.—(1) Notwithstanding any general or special Act, the council of any local municipality may pass by-laws authorizing and directing the treasurer of the municipality to allow a credit equivalent to one-half of the municipal taxes on payment by any person of the remaining portion of such municipal taxes imposed in respect of any real property that is owned and occupied by such person, or by the husband or wife of such person, or by both, as his, her or their personal residence, where such person, or the husband or wife of such person, is sixty-five years of age or over, provided that no such credit, Municipal
and school
tax credit
by-law

- (a) shall exceed the sum of \$150 in any one year;
- (b) shall be allowed to any person in respect of more than one such property in any one year; or
- (c) shall be allowed to any person who has not made application therefor in the year in which the municipal taxes in respect of which such credit is claimed become due and payable.

(2) Any by-law passed under this section may prescribe such regulations with respect to the administration thereof, not inconsistent with this section or the regulations made under this section, as the council of the municipality may deem proper. Administra-
tion, regu-
lations re

Lien on
real
property

(3) The amount of any such credit allowed from time to time shall be a lien in favour of the Treasurer of Ontario upon the real property in respect of which such credit has been so allowed and shall be in priority,

(a) to any encumbrance upon such property arising before or after the date of registration of the notice mentioned in subsection 5 if the encumbrancer is a relative by blood or marriage of the person to whom the credit was allowed; or

(b) to any other encumbrance upon such property arising after the date of registration of the notice mentioned in subsection 5.

When lien
payable

(4) The amount of such lien shall become due and be paid to the Treasurer of Ontario upon any change in ownership of such real property except where the new owner is the husband, wife, brother or sister of the person to whom a credit was allowed and is a person entitled to a credit under a by-law passed under this section.

Registration
of notice of
credit and
certificate of
discharge

(5) Where a by-law passed under this section is in force in a municipality, forthwith after a credit has been allowed under such by-law for the first time in respect of any real property or for the first time after a lien under this Act in respect of any real property has been discharged, a notice signed by the treasurer of the municipality stating that a credit has been allowed together with a description of the real property sufficient for registration shall be registered by him in the proper registry or land titles office and, upon payment in full to the Treasurer of Ontario by the owner of the real property or by someone on his behalf of the amount of all outstanding credits allowed in respect of such property, a certificate of the Treasurer of Ontario showing such payment shall be similarly registered, and thereupon the lien in respect of such real property is discharged.

Payment by
Province of
amount of
credits
allowed

(6) Every local municipality that has passed a by-law under this Act may apply to the Department of Municipal Affairs, in the manner prescribed by the regulations made under this section, requesting that it be reimbursed for the amount of credits allowed under such by-law in any year, and the Treasurer of Ontario shall pay to the municipality the total amount of such credits in respect of real property against which notices have been registered under subsection 5.

Regulations

(7) The Lieutenant Governor in Council may make regulations prescribing forms for use under this Act and the manner in which applications for reimbursement may be made and generally for the administration of this Act.

3. Every board of a public school section, separate school zone or high school district in territory without municipal organization has the powers of the council of a local municipality under this Act, which applies *mutatis mutandis* to such a board, and, where the treasurer of a municipality is referred to in this Act, it shall be deemed a reference to the treasurer of such a board. School boards in territory without municipal organization

4. The moneys required for the purposes of this Act shall be paid out of the Consolidated Revenue Fund. Moneys out of Consol. Rev. Fund

5.—(1) Section 2 of *The City of Hamilton Act, 1966* is repealed on the 1st day of January, 1968, and any by-law passed thereunder, unless earlier repealed, is repealed on the 1st day of January, 1968. Repeal 1966, c. 171

(2) *The Town of Amherstburg Act, 1967*, and any by-law passed thereunder, and section 1 of *The Town of Burlington Act, 1967*, and any by-law passed thereunder, are repealed. Idem 1967 c. 00 00

6.—(1) This Act, except sections 1, 2, 3 and 4, comes into force on the day it receives Royal Assent. Commencement

(2) Sections 1, 2, 3 and 4 shall be deemed to have come into force on the 1st day of January, 1967. Idem

7. This Act may be cited as *The Municipal and School Tax Credit Assistance Act, 1967*. Short title

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BILL 105

An Act to provide for Municipal and
School Tax Credits for the Assistance of
Elderly Persons

1st Reading

May 3rd, 1967

2nd Reading

3rd Reading

MR. SPOONER

BILL 105

5TH SESSION, 27TH LEGISLATURE, ONTARIO
15-16 ELIZABETH II, 1967

An Act to provide for Municipal and School Tax Credits for the Assistance of Elderly Persons

MR. SPOONER

(Reprinted for Consideration of the Committee of the Whole House)

EXPLANATORY NOTE

This Act authorizes local municipalities and also school boards in territory without municipal organization to provide for municipal and school tax credits or refunds to assist elderly persons and provides that the Treasurer of Ontario shall reimburse such local municipalities and school boards for the amount of such credits or refunds allowed.

An Act to provide for Municipal and School Tax Credits for the Assistance of Elderly Persons

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. In this Act, "municipal taxes" means taxes imposed for municipal and school purposes in respect of real property assessed as residential or farm property and includes local improvement or other special rates. Interpre-
tation

2.—(1) Notwithstanding any general or special Act, the council of any local municipality may pass by-laws authorizing and directing the treasurer of the municipality to allow a credit or refund equivalent to one-half of the municipal taxes imposed in respect of any real property that is owned and occupied by a person, or by the husband or wife of such person, or by both, as his, her or their personal residence, where such person, or the husband or wife of such person, is sixty-five years of age or over, provided that, Municipal
and school
tax credit
by-law

(a) no credit or refund shall exceed the sum of \$150 in any one year;

(b) no credit or refund shall be allowed to any person in respect of more than one such property in any one year;

(c) no credit or refund shall be allowed to any person who has not made application therefor in the year in which the municipal taxes in respect of which such credit or refund is claimed become due and payable;

(d) a credit shall be allowed for municipal taxes imposed on any real property only on payment of the remaining portion of such municipal taxes;

- (e) no refund shall be allowed for municipal taxes imposed on any real property in any year unless such municipal taxes have been paid in full in that year; or
- (f) notwithstanding clause e, where the amount of an allowable credit of municipal taxes in any year is greater than the amount of such municipal taxes unpaid in that year, the difference between such amounts may be refunded and the unpaid portion may be allowed as a credit.

Administration,
regulations re

(2) Any by-law passed under this section may prescribe such regulations with respect to the administration thereof, not inconsistent with this section or the regulations made under this section, as the council of the municipality may deem proper.

Lien on
real
property

(3) The amount of any such credit or refund allowed from time to time shall be a lien in favour of the Treasurer of Ontario upon the real property in respect of which such credit or refund has been so allowed and shall be in priority,

- (a) to any encumbrance upon such property arising before or after the date of registration of the notice mentioned in subsection 5 if the encumbrancer is a relative by blood or marriage of the person to whom the credit was allowed; or
- (b) to any other encumbrance upon such property arising after the date of registration of the notice mentioned in subsection 5.

When lien
payable

(4) The amount of such lien shall become due and be paid to the Treasurer of Ontario upon any change in ownership of such real property except,

- (a) where the new owner is the husband, wife, brother or sister of the person to whom a credit or refund was allowed and is a person entitled to a credit or refund under a by-law passed under this section; or
- (b) by way of a mortgage other than a sale or foreclosure under such mortgage.

Registration
of notice of
credit or
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(5) Where a by-law passed under this section is in force in a municipality, forthwith after a credit or refund has been allowed under such by-law for the first time in respect of any real property or for the first time after a lien under this Act in respect of any real property has been discharged, a notice signed by the treasurer of the municipality stating that a credit or refund has been allowed together with a description

of the real property sufficient for registration shall be registered by him in the proper registry or land titles office and, upon payment in full to the Treasurer of Ontario by the owner of the real property or by someone on his behalf of the amount of all outstanding credits and refunds allowed in respect of such property, a certificate of the Treasurer of Ontario showing such payment shall be similarly registered, and thereupon the lien in respect of such real property is discharged.

(6) Every local municipality that has passed a by-law under this Act may apply to the Department of Municipal Affairs, in the manner prescribed by the regulations made under this section, requesting that it be reimbursed for the amount of credits and refunds allowed under such by-law in any year, and the Treasurer of Ontario shall pay to the municipality the total amount of such credits and refunds in respect of real property against which notices have been registered under subsection 5.

Payment by Province of amount of credits and refunds allowed

(7) The Lieutenant Governor in Council may make regulations prescribing forms for use under this Act and the manner in which applications for reimbursement may be made and generally for the administration of this Act.

Regulations

3. Every board of a public school section, separate school zone or high school district in territory without municipal organization has the powers of the council of a local municipality under this Act, which applies *mutatis mutandis* to such a board, and, where the treasurer of a municipality is referred to in this Act, it shall be deemed a reference to the treasurer of such a board.

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Idem 1967, c. ...

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Idem 1967, c. ...

Commence-
ment **6.**—(1) This Act, except sections 1, 2, 3 and 4, comes into force on the day it receives Royal Assent.

Idem (2) Sections 1, 2, 3 and 4 shall be deemed to have come into force on the 1st day of January, 1967.

Short title **7.** This Act may be cited as *The Municipal and School Tax Credit Assistance Act, 1967*.



An Act to provide for Municipal and
School Tax Credits for the Assistance of
Elderly Persons

1st Reading

May 3rd, 1967

2nd Reading

May 8th, 1967

3rd Reading

MR. SPOONER

(Reprinted for Consideration of the
Committee of the Whole House)

BILL 105

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(7) The Lieutenant Governor in Council may make regulations prescribing forms for use under this Act and the manner in which applications for reimbursement may be made and generally for the administration of this Act.

Regulations

3. Every board of a public school section, separate school zone or high school district in territory without municipal organization has the powers of the council of a local municipality under this Act, which applies *mutatis mutandis* to such a board, and, where the treasurer of a municipality is referred to in this Act, it shall be deemed a reference to the treasurer of such a board.

School
boards in
territory
without
municipal
organiza-
tion

4. The moneys required for the purposes of this Act shall be paid out of the Consolidated Revenue Fund.

Moneys out
of Consol.
Rev. Fund

5.—(1) Section 1 of *The Town of Burlington Act, 1967* is repealed on the 1st day of January, 1968, and any by-law passed thereunder, unless earlier repealed, is repealed on the 1st day of January, 1968.

Idem
1967, c. ...

(2) *The Town of Amherstburg Act, 1967* is repealed on the 1st day of January, 1968, and any by-law passed thereunder, unless earlier repealed, is repealed on the 1st day of January, 1968.

Idem
1967, c. ...

6.—(1) This Act, except sections 1, 2, 3 and 4, comes into force on the day it receives Royal Assent.

Commence-
ment

Idem (2) Sections 1, 2, 3 and 4 shall be deemed to have come into force on the 1st day of January, 1967.

Short title **7.** This Act may be cited as *The Municipal and School Tax Credit Assistance Act, 1967*.

1. The first part of the document is a list of the names of the persons who were present at the meeting.

2. The second part of the document is a list of the names of the persons who were absent from the meeting.

1	2	3	4	5	6	7	8	9	10
1	2	3	4	5	6	7	8	9	10
1	2	3	4	5	6	7	8	9	10
1	2	3	4	5	6	7	8	9	10
1	2	3	4	5	6	7	8	9	10
1	2	3	4	5	6	7	8	9	10
1	2	3	4	5	6	7	8	9	10
1	2	3	4	5	6	7	8	9	10
1	2	3	4	5	6	7	8	9	10
1	2	3	4	5	6	7	8	9	10

An Act to provide for Municipal and
School Tax Credits for the Assistance of
Elderly Persons

1st Reading

May 3rd, 1967

2nd Reading

May 8th, 1967

3rd Reading

MR. SPOONER

(Reprinted as amended by the
Committee of the Whole House)

BILL 105

5TH SESSION, 27TH LEGISLATURE, ONTARIO
15-16 ELIZABETH II, 1967

An Act to provide for Municipal and School Tax Credits for the Assistance of Elderly Persons

MR. SPOONER

BILL 105

1967

An Act to provide for Municipal and School Tax Credits for the Assistance of Elderly Persons

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. In this Act, "municipal taxes" means taxes imposed for municipal and school purposes in respect of real property assessed as residential or farm property and includes local improvement or other special rates. <sup>Interpre-
tation</sup>

2.—(1) Notwithstanding any general or special Act, the council of any local municipality may pass by-laws authorizing and directing the treasurer of the municipality to allow a credit or refund equivalent to one-half of the municipal taxes imposed in respect of any real property that is owned and occupied by a person, or by the husband or wife of such person, or by both, as his, her or their personal residence, where such person, or the husband or wife of such person, is sixty-five years of age or over, provided that, <sup>Municipal
and school
tax credit
by-law</sup>

- (a) no credit or refund shall exceed the sum of \$150 in any one year;
- (b) no credit or refund shall be allowed to any person in respect of more than one such property in any one year;
- (c) no credit or refund shall be allowed to any person who has not made application therefor in the year in which the municipal taxes in respect of which such credit or refund is claimed become due and payable;
- (d) a credit shall be allowed for municipal taxes imposed on any real property only on payment of the remaining portion of such municipal taxes;

(e) no refund shall be allowed for municipal taxes imposed on any real property in any year unless such municipal taxes have been paid in full in that year; or

(f) notwithstanding clause e, where the amount of an allowable credit of municipal taxes in any year is greater than the amount of such municipal taxes unpaid in that year, the difference between such amounts may be refunded and the unpaid portion may be allowed as a credit.

Administration,
regulations re

(2) Any by-law passed under this section may prescribe such regulations with respect to the administration thereof, not inconsistent with this section or the regulations made under this section, as the council of the municipality may deem proper.

Lien on
real
property

(3) The amount of any such credit or refund allowed from time to time shall be a lien in favour of the Treasurer of Ontario upon the real property in respect of which such credit or refund has been so allowed and shall be in priority,

(a) to any encumbrance upon such property arising before or after the date of registration of the notice mentioned in subsection 5 if the encumbrancer is a relative by blood or marriage of the person to whom the credit was allowed; or

(b) to any other encumbrance upon such property arising after the date of registration of the notice mentioned in subsection 5.

When lien
payable

(4) The amount of such lien shall become due and be paid to the Treasurer of Ontario upon any change in ownership of such real property except,

(a) where the new owner is the husband, wife, brother or sister of the person to whom a credit or refund was allowed and is a person entitled to a credit or refund under a by-law passed under this section; or

(b) by way of a mortgage other than a sale or foreclosure under such mortgage.

Registration
of notice of
credit or
refund and
certificate of
discharge

(5) Where a by-law passed under this section is in force in a municipality, forthwith after a credit or refund has been allowed under such by-law for the first time in respect of any real property or for the first time after a lien under this Act in respect of any real property has been discharged, a notice signed by the treasurer of the municipality stating that a credit or refund has been allowed together with a description

of the real property sufficient for registration shall be registered by him in the proper registry or land titles office and, upon payment in full to the Treasurer of Ontario by the owner of the real property or by someone on his behalf of the amount of all outstanding credits and refunds allowed in respect of such property, a certificate of the Treasurer of Ontario showing such payment shall be similarly registered, and thereupon the lien in respect of such real property is discharged.

(6) Every local municipality that has passed a by-law under this Act may apply to the Department of Municipal Affairs, in the manner prescribed by the regulations made under this section, requesting that it be reimbursed for the amount of credits and refunds allowed under such by-law in any year, and the Treasurer of Ontario shall pay to the municipality the total amount of such credits and refunds in respect of real property against which notices have been registered under subsection 5.

Payment by
Province of
amount of
credits and
refunds
allowed

(7) The Lieutenant Governor in Council may make regulations prescribing forms for use under this Act and the manner in which applications for reimbursement may be made and generally for the administration of this Act.

Regulations

3. Every board of a public school section, separate school zone or high school district in territory without municipal organization has the powers of the council of a local municipality under this Act, which applies *mutatis mutandis* to such a board, and, where the treasurer of a municipality is referred to in this Act, it shall be deemed a reference to the treasurer of such a board.

School
boards in
territory
without
municipal
organiza-
tion

4. The moneys required for the purposes of this Act shall be paid out of the Consolidated Revenue Fund.

Moneys out
of Consol.
Rev. Fund

5.—(1) Section 1 of *The Town of Burlington Act, 1967* is repealed on the 1st day of January, 1968, and any by-law passed thereunder, unless earlier repealed, is repealed on the 1st day of January, 1968.

Idem
1967, c. ...

(2) *The Town of Amherstburg Act, 1967* is repealed on the 1st day of January, 1968, and any by-law passed thereunder, unless earlier repealed, is repealed on the 1st day of January, 1968.

Idem
1967, c. ...

6.—(1) This Act, except sections 1, 2, 3 and 4, comes into force on the day it receives Royal Assent.

Commence-
ment

Idem (2) Sections 1, 2, 3 and 4 shall be deemed to have come into force on the 1st day of January, 1967.

Short title **7.** This Act may be cited as *The Municipal and School Tax Credit Assistance Act, 1967*.

Table 1

Summary of the results of the experiments conducted during the period from January 1, 1961, to December 31, 1961, at the University of California, Los Angeles, California.

The following table shows the results of the experiments conducted during the period from January 1, 1961, to December 31, 1961, at the University of California, Los Angeles, California.

The following table shows the results of the experiments conducted during the period from January 1, 1961, to December 31, 1961, at the University of California, Los Angeles, California.

Experiment No.	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100
1	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100

An Act to provide for Municipal and
School Tax Credits for the Assistance of
Elderly Persons

1st Reading

May 3rd, 1967

2nd Reading

May 8th, 1967

3rd Reading

June 12th, 1967

MR. SPOONER

BILL 106

5TH SESSION, 27TH LEGISLATURE, ONTARIO
15-16 ELIZABETH II, 1967

An Act to amend The Agricultural Development Finance Act

MR. MACNAUGHTON

EXPLANATORY NOTE

Section 2 now provides that interest on deposits may not be fixed at a higher rate than 4 per cent. This limitation is being removed.

**An Act to amend
The Agricultural Development Finance Act**

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Section 2 of *The Agricultural Development Finance Act* is repealed and the following substituted therefor: R.S.O. 1960.
c. 49, s. 2,
re-enacted

2. The Lieutenant Governor in Council may from time to time fix the conditions as to interest and repayments that will govern such deposits. Conditions
as to
interest and
payment

2. This Act comes into force on the day it receives Royal Assent. Commence-
ment

3. This Act may be cited as *The Agricultural Development Finance Amendment Act, 1967*. Short title

An Act to amend The Agricultural
Development Finance Act

1st Reading

May 3rd, 1967

2nd Reading

3rd Reading

MR. MACNAUGHTON

BILL 106

5TH SESSION, 27TH LEGISLATURE, ONTARIO
15-16 ELIZABETH II, 1967

An Act to amend The Agricultural Development Finance Act

MR. MACNAUGHTON

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BILL 106

1967

**An Act to amend
The Agricultural Development Finance Act**

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Section 2 of *The Agricultural Development Finance Act* is repealed and the following substituted therefor: R.S.O. 1960.
c. 9, s. 2.
re-enacted

2. The Lieutenant Governor in Council may from time to time fix the conditions as to interest and repayments that will govern such deposits. Conditions
as to
interest and
payment

2. This Act comes into force on the day it receives Royal Assent. Commence-
ment

3. This Act may be cited as *The Agricultural Development Finance Amendment Act, 1967*. Short title

An Act to amend The Agricultural
Development Finance Act

1st Reading

May 3rd, 1967

2nd Reading

May 8th, 1967

3rd Reading

June 5th, 1967

MR. MACNAUGHTON

BILL 107

5TH SESSION, 27TH LEGISLATURE, ONTARIO
15-16 ELIZABETH II, 1967

An Act to amend The Public Service Superannuation Act

MR. MACNAUGHTON

EXPLANATORY NOTES

SECTION 1. The Public Service Superannuation Board is authorized to determine, in special circumstances, the amount that an employee is to contribute in respect of the part of his continuous service for which he did not contribute in the first instance.

SECTION 2. Under the new subsection 1 of section 7, a contributor who is on leave of absence for a period of over one month due to illness or pregnancy must pay into the Fund the same amount that would have been paid if the leave had not been granted.

Under the new subsection 2 of section 7, any educational leave of absence without salary granted to an employee who did not obtain a bursary would be treated as an educational leave of absence without pay for superannuation purposes. In such cases, and in the case of special leave without pay, the employee will be given an option to contribute for the period of such leave. If the option is exercised, the employee must pay both employee and employer contributions. If the employee declines the option, the period of such leave of absence will constitute a hiatus in his superannuation credit.

Under the new subsection 3 of section 7, any educational leave of absence without pay granted to an employee who obtains a bursary will be treated as an educational leave of absence with pay for the purpose of this Act. In such cases, the employee will be given an option to contribute and, if the option is exercised, the employee will pay into the Fund the same amount that he would have paid if he had not been granted the leave. If the employee declines the option, the period of such leave of absence will constitute a hiatus in his superannuation credit.

BILL 107

1967

An Act to amend The Public Service Superannuation Act

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Section 6 of *The Public Service Superannuation Act* is amended by adding thereto the following subsection: R.S.O. 1960,
c. 332, s. 6,
amended

(1a) Where in the opinion of the Board special circumstances exist, the Board may determine the amount to be paid by a person in lieu of the amount provided in clause *d* of subsection 1. Exception

2. Section 7 of *The Public Service Superannuation Act* is repealed and the following substituted therefor: R.S.O. 1960,
c. 332, s. 7,
re-enacted

7. (1) A contributor who is granted leave of absence of more than one month without salary because of illness or pregnancy shall, within six months of the termination of the leave, contribute to the Fund an amount equal to the amount that would have been contributed if the leave had not been granted. Leave of
absence
contribu-
tions

(2) A contributor who is granted leave of absence of more than one month without salary for special or educational purposes may make contributions to the Fund for the period of the leave, in which case he shall contribute an amount equal to the amount he would have contributed to the Fund if he had not been granted the leave together with an amount equal to the amount that would have been credited to the Fund under section 8, and such contribution shall be made within a period of time that is equal to or less than the period of leave, or he may elect not to make such contribution, in which case he is not entitled to credit for the period of the leave. Idem

Idem

- (3) Where a contributor is granted leave of absence without salary for educational purposes and he receives bursary assistance as provided for under *The Public Service Act, 1961-62*, the leave shall be deemed for the purposes of this Act to be educational leave of absence with pay, and he shall contribute to the Fund an amount equal to the amount he would have contributed if he had not been granted the leave, and the amount of the contribution shall be deducted from his bursary, unless at the time the contributor is granted the leave of absence, he elects not to make such contribution, in which case he is not entitled to credit for the period of the leave.

1961-62,
c. 121R.S.O. 1960,
c. 332, s. 12
(1966,
c. 131, s. 10),
subs. 6,
re-enacted

3. Subsection 6 of section 12 of *The Public Service Superannuation Act*, as re-enacted by section 10 of *The Public Service Superannuation Amendment Act, 1966*, is repealed and the following substituted therefor:

Where sub-
section 5
does not
apply

- (6) The reduction in subsection 5 does not apply to a person who has credit in the Fund in respect of employment in the public service before the 1st day of January, 1966, unless the person receives an immediate annuity before he is sixty years of age, in which case, in lieu of the reduction in subsection 5, the amount of his annuity shall be reduced at the rate of 5 per cent for each year by which his age is less than sixty years at the beginning of the month in which he commences to receive the annuity.

R.S.O. 1960,
c. 332, s. 20
(1966,
c. 131, s. 18),
subs. 9,
amended

4. Subsection 9 of section 20 of *The Public Service Superannuation Act*, as re-enacted by section 18 of *The Public Service Superannuation Amendment Act, 1966*, is amended by striking out "day this Act came into force" in the second line and inserting in lieu thereof "8th day of July, 1966", so that the subsection shall read as follows:

Exception

- (9) Where a contributor who had credit in the Fund on the 8th day of July, 1966,

(a) dies before the 1st day of January, 1969; or

(b) ceases to be employed before that day and subsequently dies,

leaving a widow or child or children, the allowance otherwise payable under this section shall be computed under *The Public Service Superannuation Act* as it was on the 31st day of December, 1965.

SECTION 3. For the purpose of subsection 10, a person who received an immediate annuity before he was sixty years of age and who had credit in the Fund before January 1, 1966, will have his annuity reduced by 5 per cent for each year by which his age is less than sixty.

SECTION 4. The amendment specifies the date on which the contributor must have credit in the Fund, thus clarifying the meaning.

SECTION 5. This new substantive provision will allow a person who was employed on probationary staff on April 1, 1965, and who has credit in the Teachers' Superannuation Fund to choose either to keep on contributing to the Teachers' Superannuation Fund or to transfer the credit to the Public Service Superannuation Fund.

5. Any person who was employed on the probationary staff of the classified service on the 1st day of April, 1965, and who has contributions in the Teachers' Superannuation Fund may elect to continue as a contributor under *The Teachers' Superannuation Act* or to become a contributor under this Act, and he shall send written notice of his election to the Teachers' Superannuation Commission and to the Board within sixty days after this section comes into force, and, if he fails to send the notice in accordance with this section, he shall continue as a contributor under *The Teachers' Superannuation Act*. ^{Election to contribute}

6. (1) This Act, except section 3, comes into force on the day it receives Royal Assent. ^{Commencement}

(2) Section 3 shall be deemed to have come into force on the 1st day of January, 1966. ^{Idem}

7. This Act may be cited as *The Public Service Superannuation Amendment Act, 1967*. ^{Short title}

BILL 107

An Act to amend
The Public Service Superannuation Act

1st Reading

May 3rd, 1967

2nd Reading

3rd Reading

MR. MACNAUGHTON

BILL 107

**5TH SESSION, 27TH LEGISLATURE, ONTARIO
15-16 ELIZABETH II, 1967**

An Act to amend The Public Service Superannuation Act

MR. MACNAUGHTON

TORONTO

PRINTED AND PUBLISHED BY FRANK FOGG, QUEEN'S PRINTER

BILL 107

1967

An Act to amend The Public Service Superannuation Act

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Section 6 of *The Public Service Superannuation Act* is amended by adding thereto the following subsection: R.S.O. 1960,
c. 332, s. 6,
amended

(1a) Where in the opinion of the Board special circumstances exist, the Board may determine the amount to be paid by a person in lieu of the amount provided in clause *d* of subsection 1. Exception

2. Section 7 of *The Public Service Superannuation Act* is repealed and the following substituted therefor: R.S.O. 1960,
c. 332, s. 7,
re-enacted

7.—(1) A contributor who is granted leave of absence of more than one month without salary because of illness or pregnancy shall, within six months of the termination of the leave, contribute to the Fund an amount equal to the amount that would have been contributed if the leave had not been granted. Leave of
absence
contribu-
tions

(2) A contributor who is granted leave of absence of more than one month without salary for special or educational purposes may make contributions to the Fund for the period of the leave, in which case he shall contribute an amount equal to the amount he would have contributed to the Fund if he had not been granted the leave together with an amount equal to the amount that would have been credited to the Fund under section 8, and such contribution shall be made within a period of time that is equal to or less than the period of leave, or he may elect not to make such contribution, in which case he is not entitled to credit for the period of the leave. Idem

Idem

1961-62,
c. 121

- (3) Where a contributor is granted leave of absence without salary for educational purposes and he receives bursary assistance as provided for under *The Public Service Act, 1961-62*, the leave shall be deemed for the purposes of this Act to be educational leave of absence with pay, and he shall contribute to the Fund an amount equal to the amount he would have contributed if he had not been granted the leave, and the amount of the contribution shall be deducted from his bursary, unless at the time the contributor is granted the leave of absence, he elects not to make such contribution, in which case he is not entitled to credit for the period of the leave.

R.S.O. 1960,
c. 332, s. 12
(1966,
c. 131, s. 10),
subs. 6,
re-enacted

3. Subsection 6 of section 12 of *The Public Service Superannuation Act*, as re-enacted by section 10 of *The Public Service Superannuation Amendment Act, 1966*, is repealed and the following substituted therefor:

Where sub-
section 5
does not
apply

- (6) The reduction in subsection 5 does not apply to a person who has credit in the Fund in respect of employment in the public service before the 1st day of January, 1966, unless the person receives an immediate annuity before he is sixty years of age, in which case, in lieu of the reduction in subsection 5, the amount of his annuity shall be reduced at the rate of 5 per cent for each year by which his age is less than sixty years at the beginning of the month in which he commences to receive the annuity.

R.S.O. 1960,
c. 332, s. 20
(1966,
c. 131, s. 18),
subs. 9,
amended

4. Subsection 9 of section 20 of *The Public Service Superannuation Act*, as re-enacted by section 18 of *The Public Service Superannuation Amendment Act, 1966*, is amended by striking out "day this Act came into force" in the second line and inserting in lieu thereof "8th day of July, 1966", so that the subsection shall read as follows:

Exception

- (9) Where a contributor who had credit in the Fund on the 8th day of July, 1966,

(a) dies before the 1st day of January, 1969; or

(b) ceases to be employed before that day and subsequently dies,

leaving a widow or child or children, the allowance otherwise payable under this section shall be computed under *The Public Service Superannuation Act* as it was on the 31st day of December, 1965.

5. Any person who was employed on the probationary staff of the classified service on the 1st day of April, 1965, and who has contributions in the Teachers' Superannuation Fund may elect to continue as a contributor under *The Teachers' Superannuation Act* or to become a contributor under this Act, and he shall send written notice of his election to the Teachers' Superannuation Commission and to the Board within sixty days after this section comes into force, and, if he fails to send the notice in accordance with this section, he shall continue as a contributor under *The Teachers' Superannuation Act*. ^{Election to contribute}

6.—(1) This Act, except section 3, comes into force on the day it receives Royal Assent. ^{Commencement}

(2) Section 3 shall be deemed to have come into force on the 1st day of January, 1966. ^{Idem}

7. This Act may be cited as *The Public Service Superannuation Amendment Act, 1967*. ^{Short title}

12 13 14
 15 16 17
 18 19 20

An Act to amend
The Public Service Superannuation Act

1st Reading

May 3rd, 1967

2nd Reading

May 8th, 1967

3rd Reading

June 5th, 1967

MR. MACNAUGHTON

BILL 108

5TH SESSION, 27TH LEGISLATURE, ONTARIO
15-16 ELIZABETH II, 1967

An Act to amend The Territorial Division Act

MR. SPOONER

THE ACT TO AMEND THE ACT RESPECTING MUNICIPALITIES
 (1892, CHAPTER 10)

THE ACT TO AMEND THE ACT RESPECTING MUNICIPALITIES

EXPLANATORY NOTE

The amendments are to bring the Act up to date with recent changes in corporate status of municipalities by reason of amalgamations, dissolutions and annexations and to make certain corrections in the boundaries between the Districts of Algoma and Nipissing and Sudbury and Timiskaming.

BILL 108

1967

An Act to amend The Territorial Division Act

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1.—(1) Clause *b* of paragraph 8 of section 1 of *The Territorial Division Act* is amended by striking out "Ojibway" in the second line.

R.S.O. 1960,
c. 395, s. 1,
par. 8, cl. *b*,
amended

(2) Clause *c* of paragraph 8 of the said section 1 is repealed.

R.S.O. 1960,
c. 395, s. 1,
par. 8, cl. *c*,
repealed

(3) Clause *c* of paragraph 8 of the said section 1 is amended by striking out "Sandwich East" in the second column.

R.S.O. 1960,
c. 395, s. 1,
par. 8, cl. *c*,
amended

(4) Clause *c* of paragraph 21 of the said section 1 is amended by striking out "Camden" in the first column and inserting in lieu thereof "Camden East".

R.S.O. 1960,
c. 395, s. 1,
par. 21, cl. *c*,
amended

(5) Clause *c* of paragraph 29 of the said section 1 is repealed and the following substituted therefor:

R.S.O. 1960,
c. 395, s. 1,
par. 29, cl. *c*,
re-enacted

(*c*) the separated Town of St. Marys.

(6) Clause *b* of paragraph 38 of the said section 1 is amended by inserting after "Hespeler" in the first line "New Hamburg".

R.S.O. 1960,
c. 395, s. 1,
par. 38, cl. *b*,
amended

(7) Clause *c* of paragraph 38 of the said section 1, as amended by subsection 16 of section 1 of *The Territorial Division Amendment Act, 1964*, is further amended by striking out "New Hamburg".

R.S.O. 1960,
c. 395, s. 1,
par. 38, cl. *c*,
amended

(8) Clause *a* of paragraph 39 of the said section 1 is amended by inserting after "Niagara Falls" in the first line "Port Colborne".

R.S.O. 1960,
c. 395, s. 1,
par. 39, cl. *a*,
amended

(9) Clause *b* of paragraph 39 of the said section 1 is amended by striking out "Port Colborne".

R.S.O. 1960,
c. 395, s. 1,
par. 39, cl. *b*,
amended

(10) Clauses *c*, *e* and *f* of paragraph 42 of the said section 1 are repealed and the following substituted therefor:

R.S.O. 1960,
c. 395, s. 1,
par. 42,
cls. *c*, *e*,
repealed;
cl. *f*,
re-enacted

(f) the boroughs of East York, Etobicoke, North York, Scarborough, York.

R.S.O. 1960, c. 395, s. 1, par. 44, cl. d, amended (11) Clause *d* of paragraph 44 of the said section 1, as amended by subsection 4 of section 1 of *The Territorial Division Amendment Act, 1966*, is further amended by striking out "Victoria" in the third column.

R.S.O. 1960, c. 395, s. 1, par. 44, amended (12) Paragraph 44 of the said section 1 is amended by striking out the paragraph immediately following clause *d* and inserting in lieu thereof:

Commencing at the northwest corner of the Township of Downer; thence south along the west boundaries of the townships of Downer, Frances, Flanders, Foch, Drew, Welsh, Magone, Johns, Common, Hunt, and townships 65, 33 Range 28, 33 Range 27, 33 Range 26, 33 Range 25, 33 Range 24, and 33 Range 23 to the high-water mark of Lake Superior; thence south astronomically to the intersection with the International Boundary between Canada and the United States of America; thence southeasterly and easterly following the International Boundary through Lake Superior, the St. Marys River and the expansions thereof, and the North Channel of Lake Huron to an angle in the said boundary lying between Cockburn Island and Drummond Island; thence easterly in a straight line through the North Channel of Lake Huron to a point distant one and one-half miles measured south astronomically from the southwesterly extremity of Kenny Point on Innes Island; thence north 55° east astronomically five miles; thence east astronomically three miles; thence south 36° east astronomically five and one-half miles; thence northeasterly in a straight line to the intersection of the water's edge of the North Channel of Lake Huron with the southerly production of the west boundary of the Township of Harrow; thence northerly along the said southerly production and the west boundary of the Township of Harrow to the southeast corner of the Township of Salter; thence westerly, southerly and westerly along the south boundary of the Township of Salter to the southeast corner of the Township of Victoria; thence westerly along the south boundary of the Township of Victoria to the southwest corner thereof; thence north along the west boundary of the Township of Victoria to the southwest corner of Township 129; thence east along the south boundary of the said township to the southwest corner of the Township of Tennyson; thence east along the south boundary of the Township of Tennyson to the southeast corner of the said township; thence north along the east boundaries of the townships of Tennyson, 123, 124, and 125 to the intersection with the south boundary of Township A; thence east along that south boundary to the southeast corner thereof; thence north along the east boundaries

of townships A, B, C, and D to the northeast corner of the last-mentioned township; thence west along the north boundaries of townships D, H, L, P, and T to the southeast corner of Township Y; thence north along the west boundaries of townships Y, Z, and 7Z to the northeast corner of the last-mentioned township; thence west along the north boundaries of townships 7Z, 7A, 7B, 7C, 7D, 7E, 7F, 7G, 7H, 22 Range 14 and 23 Range 14 to the intersection with the east boundary of Township 24 Range 15; thence north along the east boundaries of townships 24 Range 15, 24 Range 16, 24 Range 17, 24 Range 18, 24 Range 19, 24 Range 20, 24 Range 21 and 24 Range 22, to the northeast corner of the last-mentioned township; thence west along the north boundary of Township 24 Range 22 to the southeast corner of Township 24 Range 23; thence north along the east boundaries of townships 24 Range 23, 24 Range 24, 43, 45, 46, and Meath to the intersection with the south boundary of the Township of Acton; thence east along the south boundaries of the townships of Acton, Winget, Amik, Abigo, Kildare, Lerwick, Kirkwall, Kapuskasing, and Loughheed to the southeast corner of the last-mentioned township; thence north along the east boundaries of the townships of Loughheed, Davin, Buchan, Allenby, Concohar, and Shanly to the northeast corner of the last-mentioned township; thence west along the north boundaries of the townships of Shanly, Bourinot, Opazatika, Abbott, Doherty and part of the Township of Pelletier, to the southeast corner of the Township of Scholfield; thence north along the east boundaries of the townships of Scholfield and Ebbs to the northeast corner of the last-mentioned township; thence west along the north boundaries of the townships of Ebbs, Templeton, McFarlan, and Dowsley to the southeast corner of the Township of McEwing; thence north along the east boundaries of the townships of McEwing and Arnott to the northeast corner of the last-mentioned township; thence west along the north boundaries of the townships of Arnott, Cross, Mercer, and Downer to the point of commencement.

(13) Paragraph 49 of the said section 1 is amended by striking out the paragraph immediately following clause *c* and inserting in lieu thereof:

R.S.O. 1960,
c. 395, s. 1,
par. 49,
amended

Commencing at the southeast corner of the Township of Falconer; thence west along the south boundary of the said township to the southwest corner thereof; thence north along the west boundaries of the townships of Falconer, Loudon, and Macpherson to the northwest corner of the last-mentioned township; thence east along the north boundary of the Township of Macpherson to the southwest corner of the Township of Kirkpatrick; thence north along the west boundaries of the townships of Kirkpatrick, Hugel, Crerar, Dana, Pardo,

Clement, Scholes, and Belfast, to the northwest corner of the last-mentioned township; thence east along the north boundary of the Township of Belfast to the southwest corner of the Township of Le Roche; thence north along the west boundaries of the townships of Le Roche and Canton to the northwest corner of the last-mentioned township; thence east along the north boundaries of the townships of Canton, Aston, Banting and Best in the Territorial District of Nipissing to the southeast corner of the Township of Brigstocke in the Territorial District of Timiskaming; thence southeasterly along the southwesterly boundary of the Township of Gillies Limit to the most southerly corner of the last-mentioned township; thence northeasterly along the southeasterly boundary of the last-mentioned township to the east boundary of the Township of Best in the Territorial District of Nipissing; thence south along the east boundaries of the townships of Best and Cassels to the southeast corner of the last-mentioned township; thence east along the north boundaries of the townships of Eldridge and Hebert and the production easterly of the north boundary of the Township of Hebert to the Interprovincial Boundary between Ontario and Quebec in Lake Timiskaming; thence in a southeasterly direction along the said Interprovincial Boundary to the intersection with the production northeasterly of the easterly boundary of the Township of Cameron; thence southerly along the said production and the easterly boundaries of the townships of Cameron and Deacon to the northwesterly corner of the Township of FitzGerald; thence easterly along the northerly boundary of the Township of FitzGerald to the northeasterly corner thereof; thence southerly along the easterly boundary of the Township of FitzGerald to the northwesterly corner of the Township of Edgar; thence easterly along the northerly boundary of the Township of Edgar to the northeasterly corner thereof; thence southerly along the easterly boundary of the Township of Edgar to the northwesterly corner of the Township of Bronson; thence easterly along the northerly boundary of the Township of Bronson to the northeasterly corner thereof; thence southerly along the easterly boundaries of the townships of Bronson, Stratton, and Master to the southeasterly corner of the last-mentioned township; thence westerly along the southerly boundaries of the townships of Master and Guthrie to the northeasterly corner of the Township of Dickens; thence southerly along the easterly boundary of the Township of Dickens to the southeasterly corner thereof; thence westerly along the southerly boundary of the Township of Dickens to the northeasterly corner of the Township of Lyell; thence southerly along the easterly boundary of the Township of Lyell to the southeasterly corner thereof; thence westerly along the southerly boundaries of the townships of Lyell and Sabine to the southwesterly corner of

the last-mentioned township; thence northerly along the westerly boundaries of the townships of Sabine and Airy to the northwesterly corner of the last-mentioned township; thence westerly along the southerly boundaries of the townships of Sproule, Canisbay, Peck and Finlayson to the southwesterly corner of the last-mentioned township; thence northerly along the westerly boundary of the Township of Finlayson to the northwesterly corner thereof; thence easterly along the northerly boundary of the Township of Finlayson in the Territorial District of Nipissing to the southeast corner of the Township of Bethune in the Territorial District of Parry Sound; thence northerly along the westerly boundaries of the townships of McCraney, Butt, Paxton, and Ballantyne in the Territorial District of Nipissing to the northwesterly corner of the last-mentioned township; thence easterly along the northerly boundary of the Township of Ballantyne to the southwesterly corner of the Township of Chisholm; thence northerly along the westerly boundaries of the townships of Chisholm and East Ferris to the southerly boundary of the Township of West Ferris; thence westerly along the southerly boundary of the Township of West Ferris to the water's edge of Lake Nipissing; thence westerly in a straight line across Lake Nipissing to a point in the middle of the Main Channel of the French River lying south of and off the most easterly extremity of Blueberry Island; thence southwesterly along the centre line of the Main Channel of the French River to its confluence with the centre line of Little French River lying north of Okikendawt Island; thence in a westerly, south-easterly and southwesterly direction following the said centre line of the Little French River to the intersection with the production easterly of the south boundary of the Township of Latchford; thence westerly along the said production and the south boundary of the Township of Latchford to the point of commencement.

(14) Clause *c* of paragraph 50 of the said section 1 is amended by striking out "Burpee" in the first column, by striking out "Mills" in the second column and by inserting after "Croft" in the first column "East Burpee" and "East Mills".

R.S.O. 1960,
c. 395, s. 1,
par. 50, cl. *c*,
amended

(15) Clause *c* of paragraph 52 of the said section 1, as amended by subsection 19 of section 1 of *The Territorial Division Amendment Act, 1964*, is further amended by inserting after "Vernon" in the third column "Victoria".

R.S.O. 1960,
c. 395, s. 1,
par. 52, cl. *c*,
amended

(16) Paragraph 52 of the said section 1 is amended by striking out the paragraph immediately following clause *c* and inserting in lieu thereof:

R.S.O. 1960,
c. 395, s. 1,
par. 52,
amended

Commencing at the southwest corner of the Township of Harrow; thence north along the west boundary of the Township of Harrow to the southeast corner of the Township of Salter; thence westerly, southerly and westerly along the south boundary of the Township of Salter to the southwest corner thereof; thence westerly along the south boundary of the Township of Victoria to the southwest corner thereof; thence north along the west boundary of the Township of Victoria to the northwest corner thereof; thence east along the north boundary of the Township of Victoria to the northeast corner thereof; thence east along the north boundary of the Township of Salter to the southwest corner of the Township of Gough; thence north along the west boundaries of the townships of Gough, 118, 119, and 120 to the northwest corner of Township 120; thence east along the north boundary of the last-mentioned township to the southwest corner of Township 114; thence north along the west boundaries of townships 114, 115, Gilbert, and Dennie to the intersection with the south boundary of the Township of La Fleche; thence west along the south boundaries of the townships of La Fleche, Alton, Jasper, Durban, Ethel and Comox, to the southwest corner of the last-mentioned township; thence north along the west boundaries of the townships of Comox, Fulton, and Iris to the northwest corner of the last-mentioned township; thence west along the south boundaries of townships 8Z, 8A, 8B, 8C, 8D, 8E, 8F, 8G, 8H, 22 Range 15, and 23 Range 15 to the southwest corner of the last-mentioned township; thence north along the west boundaries of townships 23 Range 15, 23 Range 16, 23 Range 17, 23 Range 18, 23 Range 19, 23 Range 20, Topham, and Cosens to the intersection with the south boundary of Township 23 Range 23; thence west along the said south boundary to the southwest corner thereof; thence north along the west boundaries of townships 23 Range 23, Hornell, Bader, 44, Stover, and Rennie to the northwest corner of the last-mentioned township; thence east along the north boundaries of the townships of Rennie, Leeson, Baltic, Barclay, Calais, Lloyd, Bonar, Sherlock, Shenango, Oates, Oswald, Melrose and Frey to the northeast corner of the last-mentioned township; thence south along the east boundaries of the townships of Frey, Sewell, and Kenogaming to the northwest corner of the Township of Crothers; thence east along the north boundaries of the townships of Crothers, McBride, Hassard, Beemer, English, and Zavitz to the northeast corner of the last-mentioned township; thence south along the east boundaries of the townships of Zavitz, Hutt, Halliday, Mond, Natal, Macmurchy, Fawcett, Ogilvie, and Browning to the northwest corner of the Township of Stull; thence east along the north boundaries of the townships of Stull, McLeod, Ellis, Parker, Selby and Sladen to the northeast corner of the last-mentioned township;

thence south along the east boundaries of the townships of Sladen, Shelburne, and Delhi to the southeast corner of the last-mentioned township; thence west along the south boundary of the Township of Delhi to the northeast corner of the Township of Armagh; thence south along the east boundaries of the townships of Armagh, Afton, Macbeth, McNish, Janes, Henry, Ratter, and Dunnet to the southeast corner of the last-mentioned township; thence west along the south boundary of the Township of Dunnet to the northeast corner of the Township of Casimir; thence south along the east boundaries of the townships of Casimir, Haddo, and Martland to the southeast corner of the last-mentioned township; thence east along the north boundary of the Township of Scollard and its easterly production to the centre line of the Little French River lying north of Okikendawt Island; thence southwesterly along the said centre line of the Little French River and the French River Main Channel adjacent to the south boundaries of the townships of Scollard, Mason, Bigwood, Allen and Struthers to the intersection with the southerly production of the east boundary of the Township of Travers; thence north along the said southerly production to the water's edge along the north shore of the said channel; thence southwesterly, westerly and southwesterly along the said water's edge and the water's edge of Georgian Bay to the intersection with the southerly production of the west boundary of the Township of Travers; thence north along the said southerly production and the west boundaries of the townships of Travers and Kilpatrick to the northwest corner of the last-mentioned township; thence west along the south boundary of the Township of Sale to the southwest corner thereof; thence north along the west boundary of the Township of Sale to the southeast corner of the Township of Goschen; thence west along the south boundaries of the townships of Goschen, Stalin, Roosevelt and Curtin, and the westerly production of the south boundary of the last-mentioned township, to the water's edge of the North Channel of Lake Huron; thence northerly, westerly, and southerly following the said water's edge to its intersection with the easterly production of the north boundary of the west part of the unsundered portion of the Whitefish Indian Reserve Number 4; thence west along the said production and the said north boundary to the water's edge of the North Channel of Lake Huron; thence northerly and westerly along the said water's edge to its intersection with the southerly production of the west boundary of the Township of Harrow; thence north along the said production to the point of commencement.

(17) Paragraph 54 of the said section 1 is amended by striking out the paragraph immediately following clause *c* and inserting in lieu thereof:

R.S.O. 1960,
c. 395, s. 1,
par. 54,
amended

Commencing at the southwest corner of the Township of South Lorrain; thence north along the west boundary of the last-mentioned township to the intersection with the southeasterly boundary of the Township of Gillies Limit; thence southwesterly along the southeasterly boundary of the last-mentioned township to the most southerly corner thereof; thence northwesterly along the southwesterly boundary of the last-mentioned township to the southeast corner of the Township of Brigstocke; thence west along the south boundaries of the townships of Brigstocke, Cole and Medina to the southwest corner of the last-mentioned township; thence north along the west boundary of the Township of Medina to the northwest corner thereof; thence west along the south boundaries of the townships of Rorke, McGiffin, Gamble, Corley, Leckie, and Dufferin to the southwest corner of the last-mentioned township; thence north along the west boundaries of the townships of Dufferin, North Williams, Leonard, Tyrrell, Knight, Raymond, Midlothian, Montrose, and Hincks to the northwest corner of the last-mentioned township; thence west along the south boundaries of the townships of Geikie, Bartlett, Musgrove, Doyle, Childerhose, and Pharand to the southwest corner of the last-mentioned township; thence north along the west boundaries of the townships of Pharand, Hillary, and Keefer to the northwest corner of the last-mentioned township; thence east along the north boundaries of the townships of Keefer, Denton, Thorneloe, Price, Adams, Eldorado, Langmuir, Blackstock, Timmins, McEvay, Tolstoi, Black, Benoit, Melba, Bisley, Clifford, Ben Nevis, and Pontiac to the Interprovincial Boundary between Ontario and Quebec; thence southerly along the said Interprovincial Boundary to the intersection with the production easterly of the south boundary of the Township of South Lorrain; thence west along the said easterly production and the south boundary of the Township of South Lorrain to the point of commencement.

R.S.O. 1960,
c. 395, s. 2,
par. 1, cl. a,
amended

2.—(1) Clause *a* of paragraph 1 of section 2 of *The Territorial Division Act* is amended by striking out "improvement districts of Elliot Lake" in the first line and inserting in lieu thereof "Improvement District of".

R.S.O. 1960,
c. 395, s. 2,
par. 1, cl. b,
amended

(2) Clause *b* of paragraph 1 of the said section 2 is amended by inserting after "Day and Bright Additional" in the first column "Elliot Lake".

Short title

3. This Act may be cited as *The Territorial Division Amendment Act, 1967*.

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ASTOR LENOX TILDEN FOUNDATION

BILL 108

An Act to amend
The Territorial Division Act

1st Reading

May 8th, 1967

2nd Reading

3rd Reading

MR. SPOONER

BILL 108

5TH SESSION, 27TH LEGISLATURE, ONTARIO
15-16 ELIZABETH II, 1967

An Act to amend The Territorial Division Act

MR. SPOONER

Received of the Treasurer of the
 State of New York

the sum of Twenty and 00/100 Dollars

for the purchase of
 100 shares of
 the Capital Stock of the
 New York and
 New Jersey
 Canal Company

BILL 108 **1967**

An Act to amend The Territorial Division Act

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1.—(1) Clause *b* of paragraph 8 of section 1 of *The Territorial Division Act* is amended by striking out "Ojibway" in the second line. R.S.O. 1960,
c. 395, s. 1,
par. 8, cl. *b*,
amended

(2) Clause *c* of paragraph 8 of the said section 1 is repealed. R.S.O. 1960,
c. 395, s. 1,
par. 8, cl. *c*,
repealed

(3) Clause *e* of paragraph 8 of the said section 1 is amended by striking out "Sandwich East" in the second column. R.S.O. 1960,
c. 395, s. 1,
par. 8, cl. *e*,
amended

(4) Clause *c* of paragraph 21 of the said section 1 is amended by striking out "Camden" in the first column and inserting in lieu thereof "Camden East". R.S.O. 1960,
c. 395, s. 1,
par. 21, cl. *c*,
amended

(5) Clause *c* of paragraph 29 of the said section 1 is repealed and the following substituted therefor: R.S.O. 1960,
c. 395, s. 1,
par. 29, cl. *c*,
re-enacted

(c) the separated Town of St. Marys.

(6) Clause *b* of paragraph 38 of the said section 1 is amended by inserting after "Hespeler" in the first line "New Hamburg". R.S.O. 1960,
c. 395, s. 1,
par. 38, cl. *b*,
amended

(7) Clause *c* of paragraph 38 of the said section 1, as amended by subsection 16 of section 1 of *The Territorial Division Amendment Act, 1964*, is further amended by striking out "New Hamburg". R.S.O. 1960,
c. 395, s. 1,
par. 38, cl. *c*,
amended

(8) Clause *a* of paragraph 39 of the said section 1 is amended by inserting after "Niagara Falls" in the first line "Port Colborne". R.S.O. 1960,
c. 395, s. 1,
par. 39, cl. *a*,
amended

(9) Clause *b* of paragraph 39 of the said section 1 is amended by striking out "Port Colborne". R.S.O. 1960,
c. 395, s. 1,
par. 39, cl. *b*,
amended

(10) Clauses *c*, *e* and *f* of paragraph 42 of the said section 1 are repealed and the following substituted therefor: R.S.O. 1960,
c. 395, s. 1,
par. 42,
cls. *c*, *e*,
repealed;
cl. *f*,
re-enacted

(f) the boroughs of East York, Etobicoke, North York, Scarborough, York.

R.S.O. 1960,
c. 395, s. 1,
par. 44, cl. d,
amended (11) Clause *d* of paragraph 44 of the said section 1, as amended by subsection 4 of section 1 of *The Territorial Division Amendment Act, 1966*, is further amended by striking out "Victoria" in the third column.

R.S.O. 1960,
c. 395, s. 1,
par. 44,
amended (12) Paragraph 44 of the said section 1 is amended by striking out the paragraph immediately following clause *d* and inserting in lieu thereof:

Commencing at the northwest corner of the Township of Downer; thence south along the west boundaries of the townships of Downer, Frances, Flanders, Foch, Drew, Welsh, Magone, Johns, Common, Hunt, and townships 65, 33 Range 28, 33 Range 27, 33 Range 26, 33 Range 25, 33 Range 24, and 33 Range 23 to the high-water mark of Lake Superior; thence south astronomically to the intersection with the International Boundary between Canada and the United States of America; thence southeasterly and easterly following the International Boundary through Lake Superior, the St. Marys River and the expansions thereof, and the North Channel of Lake Huron to an angle in the said boundary lying between Cockburn Island and Drummond Island; thence easterly in a straight line through the North Channel of Lake Huron to a point distant one and one-half miles measured south astronomically from the southwesterly extremity of Kenny Point on Innes Island; thence north 55° east astronomically five miles; thence east astronomically three miles; thence south 36° east astronomically five and one-half miles; thence northeasterly in a straight line to the intersection of the water's edge of the North Channel of Lake Huron with the southerly production of the west boundary of the Township of Harrow; thence northerly along the said southerly production and the west boundary of the Township of Harrow to the southeast corner of the Township of Salter; thence westerly, southerly and westerly along the south boundary of the Township of Salter to the southeast corner of the Township of Victoria; thence westerly along the south boundary of the Township of Victoria to the southwest corner thereof; thence north along the west boundary of the Township of Victoria to the southwest corner of Township 129; thence east along the south boundary of the said township to the southwest corner of the Township of Tennyson; thence east along the south boundary of the Township of Tennyson to the southeast corner of the said township; thence north along the east boundaries of the townships of Tennyson, 123, 124, and 125 to the intersection with the south boundary of Township A; thence east along that south boundary to the southeast corner thereof; thence north along the east boundaries

of townships A, B, C, and D to the northeast corner of the last-mentioned township; thence west along the north boundaries of townships D, H, L, P, and T to the southeast corner of Township Y; thence north along the west boundaries of townships Y, Z, and 7Z to the northeast corner of the last-mentioned township; thence west along the north boundaries of townships 7Z, 7A, 7B, 7C, 7D, 7E, 7F, 7G, 7H, 22 Range 14 and 23 Range 14 to the intersection with the east boundary of Township 24 Range 15; thence north along the east boundaries of townships 24 Range 15, 24 Range 16, 24 Range 17, 24 Range 18, 24 Range 19, 24 Range 20, 24 Range 21 and 24 Range 22, to the northeast corner of the last-mentioned township; thence west along the north boundary of Township 24 Range 22 to the southeast corner of Township 24 Range 23; thence north along the east boundaries of townships 24 Range 23, 24 Range 24, 43, 45, 46, and Meath to the intersection with the south boundary of the Township of Acton; thence east along the south boundaries of the townships of Acton, Winget, Amik, Abigo, Kildare, Lerwick, Kirkwall, Kapuskasing, and Loughheed to the southeast corner of the last-mentioned township; thence north along the east boundaries of the townships of Loughheed, Davin, Buchan, Allenby, Concohar, and Shanly to the northeast corner of the last-mentioned township; thence west along the north boundaries of the townships of Shanly, Bourinot, Opazatika, Abbott, Doherty and part of the Township of Pelletier, to the southeast corner of the Township of Scholfield; thence north along the east boundaries of the townships of Scholfield and Ebbs to the northeast corner of the last-mentioned township; thence west along the north boundaries of the townships of Ebbs, Templeton, McFarlan, and Dowsley to the southeast corner of the Township of McEwing; thence north along the east boundaries of the townships of McEwing and Arnott to the northeast corner of the last-mentioned township; thence west along the north boundaries of the townships of Arnott, Cross, Mercer, and Downer to the point of commencement.

(13) Paragraph 49 of the said section 1 is amended by striking out the paragraph immediately following clause *c* and inserting in lieu thereof:

R.S.O. 1960,
c. 395, s. 1,
par. 49,
amended

Commencing at the southeast corner of the Township of Falconer; thence west along the south boundary of the said township to the southwest corner thereof; thence north along the west boundaries of the townships of Falconer, Loudon, and Macpherson to the northwest corner of the last-mentioned township; thence east along the north boundary of the Township of Macpherson to the southwest corner of the Township of Kirkpatrick; thence north along the west boundaries of the townships of Kirkpatrick, Hugel, Crerar, Dana, Pardo,

Clement, Scholes, and Belfast, to the northwest corner of the last-mentioned township; thence east along the north boundary of the Township of Belfast to the southwest corner of the Township of Le Roche; thence north along the west boundaries of the townships of Le Roche and Canton to the northwest corner of the last-mentioned township; thence east along the north boundaries of the townships of Canton, Aston, Banting and Best in the Territorial District of Nipissing to the southeast corner of the Township of Brigstocke in the Territorial District of Timiskaming; thence southeasterly along the southwesterly boundary of the Township of Gillies Limit to the most southerly corner of the last-mentioned township; thence northeasterly along the southeasterly boundary of the last-mentioned township to the east boundary of the Township of Best in the Territorial District of Nipissing; thence south along the east boundaries of the townships of Best and Cassels to the southeast corner of the last-mentioned township; thence east along the north boundaries of the townships of Eldridge and Hebert and the production easterly of the north boundary of the Township of Hebert to the Interprovincial Boundary between Ontario and Quebec in Lake Timiskaming; thence in a southeasterly direction along the said Interprovincial Boundary to the intersection with the production northeasterly of the easterly boundary of the Township of Cameron; thence southerly along the said production and the easterly boundaries of the townships of Cameron and Deacon to the northwesterly corner of the Township of FitzGerald; thence easterly along the northerly boundary of the Township of FitzGerald to the northeasterly corner thereof; thence southerly along the easterly boundary of the Township of FitzGerald to the northwesterly corner of the Township of Edgar; thence easterly along the northerly boundary of the Township of Edgar to the northeasterly corner thereof; thence southerly along the easterly boundary of the Township of Edgar to the northwesterly corner of the Township of Bronson; thence easterly along the northerly boundary of the Township of Bronson to the northeasterly corner thereof; thence southerly along the easterly boundaries of the townships of Bronson, Stratton, and Master to the southeasterly corner of the last-mentioned township; thence westerly along the southerly boundaries of the townships of Master and Guthrie to the northeasterly corner of the Township of Dickens; thence southerly along the easterly boundary of the Township of Dickens to the southeasterly corner thereof; thence westerly along the southerly boundary of the Township of Dickens to the northeasterly corner of the Township of Lyell; thence southerly along the easterly boundary of the Township of Lyell to the southeasterly corner thereof; thence westerly along the southerly boundaries of the townships of Lyell and Sabine to the southwesterly corner of

the last-mentioned township; thence northerly along the westerly boundaries of the townships of Sabine and Airy to the northwesterly corner of the last-mentioned township; thence westerly along the southerly boundaries of the townships of Sproule, Canisbay, Peck and Finlayson to the southwesterly corner of the last-mentioned township; thence northerly along the westerly boundary of the Township of Finlayson to the northwesterly corner thereof; thence easterly along the northerly boundary of the Township of Finlayson in the Territorial District of Nipissing to the southeast corner of the Township of Bethune in the Territorial District of Parry Sound; thence northerly along the westerly boundaries of the townships of McCraney, Butt, Paxton, and Ballantyne in the Territorial District of Nipissing to the northwesterly corner of the last-mentioned township; thence easterly along the northerly boundary of the Township of Ballantyne to the southwesterly corner of the Township of Chisholm; thence northerly along the westerly boundaries of the townships of Chisholm and East Ferris to the southerly boundary of the Township of West Ferris; thence westerly along the southerly boundary of the Township of West Ferris to the water's edge of Lake Nipissing; thence westerly in a straight line across Lake Nipissing to a point in the middle of the Main Channel of the French River lying south of and off the most easterly extremity of Blueberry Island; thence southwesterly along the centre line of the Main Channel of the French River to its confluence with the centre line of Little French River lying north of Okikendawt Island; thence in a westerly, south-easterly and southwesterly direction following the said centre line of the Little French River to the intersection with the production easterly of the south boundary of the Township of Latchford; thence westerly along the said production and the south boundary of the Township of Latchford to the point of commencement.

(14) Clause *c* of paragraph 50 of the said section 1 is amended by striking out "Burpee" in the first column, by striking out "Mills" in the second column and by inserting after "Croft" in the first column "East Burpee" and "East Mills".

R.S.O. 1960,
c. 395, s. 1,
par. 50, cl. *c*,
amended

(15) Clause *c* of paragraph 52 of the said section 1, as amended by subsection 19 of section 1 of *The Territorial Division Amendment Act, 1964*, is further amended by inserting after "Vernon" in the third column "Victoria".

R.S.O. 1960,
c. 395, s. 1,
par. 52, cl. *c*,
amended

(16) Paragraph 52 of the said section 1 is amended by striking out the paragraph immediately following clause *c* and inserting in lieu thereof:

R.S.O. 1960,
c. 395, s. 1,
par. 52,
amended

Commencing at the southwest corner of the Township of Harrow; thence north along the west boundary of the Township of Harrow to the southeast corner of the Township of Salter; thence westerly, southerly and westerly along the south boundary of the Township of Salter to the southwest corner thereof; thence westerly along the south boundary of the Township of Victoria to the southwest corner thereof; thence north along the west boundary of the Township of Victoria to the northwest corner thereof; thence east along the north boundary of the Township of Victoria to the northeast corner thereof; thence east along the north boundary of the Township of Salter to the southwest corner of the Township of Gough; thence north along the west boundaries of the townships of Gough, 118, 119, and 120 to the northwest corner of Township 120; thence east along the north boundary of the last-mentioned township to the southwest corner of Township 114; thence north along the west boundaries of townships 114, 115, Gilbert, and Dennie to the intersection with the south boundary of the Township of La Fleche; thence west along the south boundaries of the townships of La Fleche, Alton, Jasper, Durban, Ethel and Comox, to the southwest corner of the last-mentioned township; thence north along the west boundaries of the townships of Comox, Fulton, and Iris to the northwest corner of the last-mentioned township; thence west along the south boundaries of townships 8Z, 8A, 8B, 8C, 8D, 8E, 8F, 8G, 8H, 22 Range 15, and 23 Range 15 to the southwest corner of the last-mentioned township; thence north along the west boundaries of townships 23 Range 15, 23 Range 16, 23 Range 17, 23 Range 18, 23 Range 19, 23 Range 20, Topham, and Cosens to the intersection with the south boundary of Township 23 Range 23; thence west along the said south boundary to the southwest corner thereof; thence north along the west boundaries of townships 23 Range 23, Hornell, Bader, 44, Stover, and Rennie to the northwest corner of the last-mentioned township; thence east along the north boundaries of the townships of Rennie, Leeson, Baltic, Barclay, Calais, Lloyd, Bonar, Sherlock, Shenango, Oates, Oswald, Melrose and Frey to the northeast corner of the last-mentioned township; thence south along the east boundaries of the townships of Frey, Sewell, and Kenogaming to the northwest corner of the Township of Crothers; thence east along the north boundaries of the townships of Crothers, McBride, Hassard, Beemer, English, and Zavitz to the northeast corner of the last-mentioned township; thence south along the east boundaries of the townships of Zavitz, Hutt, Halliday, Mond, Natal, Macmurchy, Fawcett, Ogilvie, and Browning to the northwest corner of the Township of Stull; thence east along the north boundaries of the townships of Stull, McLeod, Ellis, Parker, Selby and Sladen to the northeast corner of the last-mentioned township;

thence south along the east boundaries of the townships of Sladen, Shelburne, and Delhi to the southeast corner of the last-mentioned township; thence west along the south boundary of the Township of Delhi to the northeast corner of the Township of Armagh; thence south along the east boundaries of the townships of Armagh, Afton, Macbeth, McNish, Janes, Henry, Ratter, and Dunnet to the southeast corner of the last-mentioned township; thence west along the south boundary of the Township of Dunnet to the northeast corner of the Township of Casimir; thence south along the east boundaries of the townships of Casimir, Haddo, and Martland to the southeast corner of the last-mentioned township; thence east along the north boundary of the Township of Scollard and its easterly production to the centre line of the Little French River lying north of Okikendawt Island; thence southwesterly along the said centre line of the Little French River and the French River Main Channel adjacent to the south boundaries of the townships of Scollard, Mason, Bigwood, Allen and Struthers to the intersection with the southerly production of the east boundary of the Township of Travers; thence north along the said southerly production to the water's edge along the north shore of the said channel; thence southwesterly, westerly and southwesterly along the said water's edge and the water's edge of Georgian Bay to the intersection with the southerly production of the west boundary of the Township of Travers; thence north along the said southerly production and the west boundaries of the townships of Travers and Kilpatrick to the northwest corner of the last-mentioned township; thence west along the south boundary of the Township of Sale to the southwest corner thereof; thence north along the west boundary of the Township of Sale to the southeast corner of the Township of Goschen; thence west along the south boundaries of the townships of Goschen, Stalin, Roosevelt and Curtin, and the westerly production of the south boundary of the last-mentioned township, to the water's edge of the North Channel of Lake Huron; thence northerly, westerly, and southerly following the said water's edge to its intersection with the easterly production of the north boundary of the west part of the unsurrendered portion of the Whitefish Indian Reserve Number 4; thence west along the said production and the said north boundary to the water's edge of the North Channel of Lake Huron; thence northerly and westerly along the said water's edge to its intersection with the southerly production of the west boundary of the Township of Harrow; thence north along the said production to the point of commencement.

(17) Paragraph 54 of the said section 1 is amended by striking out the paragraph immediately following clause *c* and inserting in lieu thereof:

R.S.O. 1960,
c. 395, s. 1,
par. 54,
amended

Commencing at the southwest corner of the Township of South Lorrain; thence north along the west boundary of the last-mentioned township to the intersection with the southeasterly boundary of the Township of Gillies Limit; thence southwesterly along the southeasterly boundary of the last-mentioned township to the most southerly corner thereof; thence northwesterly along the southwesterly boundary of the last-mentioned township to the southeast corner of the Township of Brigstocke; thence west along the south boundaries of the townships of Brigstocke, Cole and Medina to the southwest corner of the last-mentioned township; thence north along the west boundary of the Township of Medina to the northwest corner thereof; thence west along the south boundaries of the townships of Rorke, McGiffin, Gamble, Corley, Leckie, and Dufferin to the southwest corner of the last-mentioned township; thence north along the west boundaries of the townships of Dufferin, North Williams, Leonard, Tyrrell, Knight, Raymond, Midlothian, Montrose, and Hincks to the northwest corner of the last-mentioned township; thence west along the south boundaries of the townships of Geikie, Bartlett, Musgrove, Doyle, Childerhose, and Pharand to the southwest corner of the last-mentioned township; thence north along the west boundaries of the townships of Pharand, Hillary, and Keefer to the northwest corner of the last-mentioned township; thence east along the north boundaries of the townships of Keefer, Denton, Thornehoe, Price, Adams, Eldorado, Langmuir, Blackstock, Timmins, McEvay, Tolstoi, Black, Benoit, Melba, Bisley, Clifford, Ben Nevis, and Pontiac to the Interprovincial Boundary between Ontario and Quebec; thence southerly along the said Interprovincial Boundary to the intersection with the production easterly of the south boundary of the Township of South Lorrain; thence west along the said easterly production and the south boundary of the Township of South Lorrain to the point of commencement.

R.S.O. 1960,
c. 395, s. 2,
par. 1, cl. a,
amended

2.—(1) Clause *a* of paragraph 1 of section 2 of *The Territorial Division Act* is amended by striking out “improvement districts of Elliot Lake” in the first line and inserting in lieu thereof “Improvement District of”.

R.S.O. 1960,
c. 395, s. 2,
par. 1, cl. b,
amended

(2) Clause *b* of paragraph 1 of the said section 2 is amended by inserting after “Day and Bright Additional” in the first column “Elliot Lake”.

Short title

3. This Act may be cited as *The Territorial Division Amendment Act, 1967*.

Received of the Treasurer of the
Board of Education the sum of \$100.00

1

For the purchase of books for the library of the Board of Education

Date	Particulars	Amount
1875-1876	For the purchase of books for the library of the Board of Education	\$100.00

100

An Act to amend
The Territorial Division Act

1st Reading

May 8th, 1967

2nd Reading

May 26th, 1967

3rd Reading

June 12th, 1967

MR. SPOONER

BILL 109

5TH SESSION, 27TH LEGISLATURE, ONTARIO
15-16 ELIZABETH II, 1967

An Act to amend The Department of Municipal Affairs Act

MR. SPOONER

EXPLANATORY NOTE

Subsection 5 has been interpreted to the effect that a copy of each notice sent to the persons interested in the land affected must be attached to the declaration since the address on each one is different. The amendment provides that a specimen copy only need be attached to the declaration.

BILL 109

1967

**An Act to amend
The Department of Municipal Affairs Act**

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Subsection 5 of section 47 of *The Department of Municipal Affairs Act* is amended by inserting after "a" in the sixth line "specimen", so that the subsection shall read as follows:

R.S.O. 1960,
c. 98, s. 47,
subs. 5,
amended

- (5) The Treasurer, forthwith after he has sent the notice as required by subsection 4, shall make and register in the registry office a statutory declaration describing the land to which it relates and setting forth the names and addresses of all persons to whom he has sent the notice and the date of sending the same to each person, and a specimen copy of the notice shall be attached to the declaration as an exhibit.

Registration
of
declaration
as to
sending
of notices

2. This Act comes into force on the day it receives Royal Assent.

Commence-
ment

3. This Act may be cited as *The Department of Municipal Affairs Amendment Act, 1967*.

Short title

An Act to amend
The Department of Municipal Affairs Act

1st Reading

May 8th, 1967

2nd Reading

3rd Reading

MR. SPOONER

BILL 109

5TH SESSION, 27TH LEGISLATURE, ONTARIO
15-16 ELIZABETH II, 1967

An Act to amend The Department of Municipal Affairs Act

MR. SPOONER

BILL 109

1967

**An Act to amend
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of
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of notices

2. This Act comes into force on the day it receives Royal Assent. Commence-
ment

3. This Act may be cited as *The Department of Municipal Affairs Amendment Act, 1967*. Short title

An Act to amend
The Department of Municipal Affairs Act

1st Reading

May 8th, 1967

2nd Reading

May 26th, 1967

3rd Reading

June 12th, 1967

MR. SPOONER

BILL 110

5TH SESSION, 27TH LEGISLATURE, ONTARIO
15-16 ELIZABETH II, 1967

An Act to amend The Assessment Act

MR. SPOONER

THE LIFE OF THE LATE
HONORABLE JOHN C. CALHOUN

EXPLANATORY NOTES

SECTION 1. The amendments are for the purpose of clarification.

BILL 110

1967

An Act to amend The Assessment Act

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1.—(1) Subsection 1 of section 27 of *The Assessment Act*, R.S.O. 1960, c. 23, s. 27, subs. 1, amended as amended by section 3 of *The Assessment Amendment Act, 1961-62*, is further amended by striking out "assessment commissioner or, if none, to the clerk of the municipality" in the sixth and seventh lines and inserting in lieu thereof "person whose name appears on the assessment notice as the person giving the notice on behalf of the municipality", so that the subsection shall read as follows:

- (1) The court of revision shall hear and determine all School support complaints with regard to persons alleged to be wrongfully placed upon or omitted from the roll as public school supporters or as Roman Catholic separate school supporters, and any person so complaining or any ratepayer or school board may give notice in writing to the person whose name appears on the assessment notice as the person giving the notice on behalf of the municipality of such complaint, and the provisions of this Act as to giving notice of complaints against the assessment roll and proceedings for the trial thereof apply to complaints under this section except that the notice of complaint may be given at any time on or before the 14th day of October or the last day for appealing to the court of revision, whichever is the later.

(2) Subsection 3 of the said section 27 is amended by R.S.O. 1960, c. 23, s. 27, subs. 3, amended striking out "assessment commissioner or, if none, the assessor" in the third and fourth lines and inserting in lieu thereof "person to whom the notice has been given under subsection 1", so that the subsection shall read as follows:

- (3) Notwithstanding subsection 1, if the notice of com- Revised assessment notice plaint is received more than thirty days before the last day for giving the notice under subsection 1,

the person to whom the notice has been given under subsection 1 shall prepare and deliver to the clerk of the municipality, on or before the last day for giving the notice of complaint, a revised assessment notice showing liability in accordance with the circumstances existing at the time the notice of complaint was given, which notice shall be sent by the clerk, with the notice of the sitting of the court of revision to consider the complaint, to the owner or tenant to be assessed, to the owner or tenant appearing on the assessment roll and to the complainant, and the court of revision shall amend the roll in accordance with such revised assessment notice unless one of the parties concerned or his agent appears at the hearing and objects thereto, in which event the court of revision shall determine the matter as provided in subsection 1.

R.S.O. 1960,
c. 23, s. 43,
subs. 2,
amended

2. Subsection 2 of section 43 of *The Assessment Act* is amended by inserting after "be" where it occurs the second time in the third line "owned by and", so that the subsection shall read as follows:

Property
deemed
vested in
commission

- (2) For the purposes of this section, land and buildings owned by and vested in a municipal corporation and used for the purposes of a public utility shall be deemed to be owned by and vested in the commission operating the public utility.

R.S.O. 1960,
c. 23, s. 53,
subs. 4a
(1966,
c. 10, s. 11,
subs. 3),
re-enacted

3. Subsection 4a of section 53 of *The Assessment Act*, as enacted by subsection 3 of section 11 of *The Assessment Amendment Act, 1966*, is repealed and the following substituted therefor:

Evidence of
delivery
of notice

- (4a) When a notice has been delivered under subsection 4, the assessor shall enter in the collector's roll, opposite the name of the person, the date of delivery of the notice or shall make one or more certificates to be attached to the roll or to any part of the roll certifying the date or dates upon which the notices were delivered, and the entry, certificate and certificates are *prima facie* evidence of the delivery.

R.S.O. 1960,
c. 23, s. 54,
subs. 3a
(1966,
c. 10, s. 12,
subs. 2),
re-enacted

4. Subsection 3a of section 54 of *The Assessment Act*, as enacted by subsection 2 of section 12 of *The Assessment Amendment Act, 1966*, is repealed and the following substituted therefor:

SECTION 2. Some doubt has arisen because of the difference in language as to the application of section 43. The wording is, therefore, made consistent with other provisions in the Act.

SECTIONS 3 and 4. In large municipalities where tax bills are prepared by mechanical data processing equipment, the initialing of the roll is time-consuming and does not serve any useful purpose that could not be accomplished as well by one certificate which includes a large list of rate-payers to whom the notice has been mailed. This amendment merely provides an alternative procedure while retaining for smaller municipalities, if they so desire, the existing procedure.

SECTION 5. Subsection 1 now requires that a court of revision be appointed by the county council in each year. The amendment requires that a court of revision be appointed only in the year subsequent to the by-law appointing the county assessment commissioner.

SECTION 6. The amendments are for the purpose of clarification.

- (3a) When a notice has been delivered under subsection 3, the assessor shall enter in the assessment roll, opposite the name of the person, the date of delivery of the notice or shall make one or more certificates to be attached to the roll or to any part of the roll certifying the date or dates upon which the notices were delivered, and the entry, certificate and certificates are *prima facie* evidence of the delivery. Evidence of delivery of notice

5. Subsection 1 of section 65a of *The Assessment Act*, as re-enacted by section 4 of *The Assessment Amendment Act, 1965*, is amended by striking out "each" in the fourth line and inserting in lieu thereof "the", so that the subsection shall read as follows: R.S.O. 1960, c. 23, s. 65a, subs. 1 (1965, c. 6, s. 4), amended

- (1) Where a by-law is passed in any year under subsection 2 of section 93a appointing a county assessment commissioner, the council of the county shall, in the subsequent year, constitute by by-law one or more courts of revision for each township, town and village in the county. Courts of revision under county assessment commissioner

6.—(1) Subsection 1 of section 72 of *The Assessment Act* is amended by striking out "assessment commissioner or, if none, to the clerk of the municipality" in the fifth and sixth lines and inserting in lieu thereof "person whose name appears on the assessment notice as the person giving the notice on behalf of the municipality" and by adding at the end thereof "and the person receiving such notice shall immediately transmit it to the clerk", so that the subsection shall read as follows: R.S.O. 1960, c. 23, s. 72, subs. 1, amended

- (1) Any person complaining of an error or omission in regard to himself, as having been wrongly inserted in or omitted from the roll or as having been undercharged or overcharged by the assessor in the roll, may personally or by his agent give notice in writing to the person whose name appears on the assessment notice as the person giving the notice on behalf of the municipality that he considers himself aggrieved for any or all of the causes aforesaid, and shall give a name and address where notices can be served by the clerk of the municipality as hereinafter provided, and the person receiving such notice shall immediately transmit it to the clerk. Notice of complaint by person aggrieved

(2) Subsection 2 of the said section 72 is amended by striking out "to the assessment commissioner or, if none, to the clerk of the municipality" in the first and second lines, so that the subsection shall read as follows: R.S.O. 1960 c. 23, s. 72, subs. 2, amended

Time within
which
notices of
appeal to
the court
are to be
given

- (2) The notice shall be given within fourteen days after the day upon which the roll is required by law to be returned, or within fourteen days after the return of the roll, in case the roll is not returned within the time fixed for that purpose.

R.S.O. 1960,
c. 23, s. 72,
subs. 3,
amended

- (3) Subsection 3 of the said section 72 is amended by striking out "to the assessment commissioner or, if none" in the fourth and fifth lines, so that the subsection shall read as follows:

When
elector
thinks
any person
assessed at
too low or
too high
a rate

- (3) If a person assessed thinks that any person has been assessed too low or too high or has been wrongly inserted in or omitted from the roll, he may, within the time limited by subsection 2, give notice in writing to the clerk of the municipality, and the clerk of the municipality shall give notice to such person and to the assessor of the time when the matter will be tried by the court of revision, and the matter shall be decided in the same manner as complaints by a person assessed with regard to his own assessment.

R.S.O. 1960,
c. 23, s. 93,
subs. 3,
repealed

7. Subsection 3 of section 93 of *The Assessment Act* is repealed.

R.S.O. 1960,
c. 23, s. 104,
subs. 8a
(1966,
c. 10, s. 16,
subs. 1),
re-enacted

8. Subsection 8a of section 104 of *The Assessment Act*, as enacted by subsection 1 of section 16 of *The Assessment Amendment Act, 1966*, is repealed and the following substituted therefor:

Where
locality in
more than
one
territorial
district

- (8a) Where a locality, except an improvement district, includes part of two or more territorial districts and a district assessor has been appointed for only one of the territorial districts, the district assessor shall have all the powers, duties and privileges under this and every other Act of an assessor and an assessment commissioner and he shall be deemed, for the purposes of this and every other Act, to be the assessor and assessment commissioner for the whole of such locality, and, where a locality, except an improvement district, includes parts of two or more territorial districts and district assessors have been appointed for two or more of such territorial districts, the district assessor of the territorial district in which the greater portion of the assessment of such locality is situate shall have all the powers, duties and privileges under this and every other Act of an assessor and an assessment commissioner and he shall be deemed, for the purposes of this and every other Act, to be the assessor and assessment commissioner for the whole of such locality.

SECTION 7. Subsection 3 gives the county assessor a right of appeal in any municipality in the county. The provision is no longer necessary and is repealed.

SECTION 8. Under *The Territorial Division Act*, a municipality is either within one territorial district or another so that this subsection can only apply to public school sections, separate school zones or high school districts in territory without municipal organization. It is amended accordingly.

SECTION 9. The amendments are for the purpose of clarification.

9.—(1) Form 2 of *The Assessment Act*, as amended by R.S.O. 1960, c. 23, Form 2, amended section 20 of *The Assessment Amendment Act, 1960-61*, is further amended by striking out “the Assessment Commissioner or, if none, the clerk of the municipality in writing” in the fourth line in the first paragraph and inserting in lieu thereof “in writing the person whose name appears on this notice as the person giving the notice on behalf of the municipality”, so that the paragraph shall read as follows:

Take notice that you are assessed for taxation as herein specified. If you deem yourself improperly assessed in any respect you or your agent may within days after the day of 19

(Insert date on which Roll is to be returned)

notify in writing the person whose name appears on this notice as the person giving the notice on behalf of the municipality of your complaint and it will be tried by the Court of Revision.

(2) The said Form 2 is further amended by striking out R.S.O. 1960, c. 23, Form 2, amended “To the Assessment Commissioner or, if none, the clerk of the municipality” in the second line in the paragraph headed Notice of Appeal from Assessment and inserting in lieu thereof “To

(Insert the name of the person whose name appears on this notice as the person giving the notice on behalf of the municipality)”,

so that the paragraph shall read as follows:

NOTICE OF APPEAL FROM ASSESSMENT

Roll No (19....)

THE OF
(Name of Municipality)

To.....
(Insert the name of the person whose name appears on this notice as the person giving the notice on behalf of the municipality)

Take notice that I hereby appeal from the assessment made under the above-mentioned Roll Number for the following reasons:—

10. This Act comes into force on the day it receives Royal Commencement Assent.

11. This Act may be cited as *The Assessment Amendment* Short title *Act, 1967*.

An Act to amend The Assessment Act

1st Reading

May 8th, 1967

2nd Reading

3rd Reading

MR. SPOONER

BILL 110

5TH SESSION, 27TH LEGISLATURE, ONTARIO
15-16 ELIZABETH II, 1967

An Act to amend The Assessment Act

MR. SPOONER

THE UNIVERSITY OF CHICAGO
 LIBRARY

THE UNIVERSITY OF CHICAGO

THE UNIVERSITY OF CHICAGO
 LIBRARY

BILL 110

1967

An Act to amend The Assessment Act

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1.—(1) Subsection 1 of section 27 of *The Assessment Act*, as amended by section 3 of *The Assessment Amendment Act, 1961-62*, is further amended by striking out "assessment commissioner or, if none, to the clerk of the municipality" in the sixth and seventh lines and inserting in lieu thereof "person whose name appears on the assessment notice as the person giving the notice on behalf of the municipality", so that the subsection shall read as follows:

R.S.O. 1960,
c. 23, s. 27,
subs. 1,
amended

- (1) The court of revision shall hear and determine all complaints with regard to persons alleged to be wrongfully placed upon or omitted from the roll as public school supporters or as Roman Catholic separate school supporters, and any person so complaining or any ratepayer or school board may give notice in writing to the person whose name appears on the assessment notice as the person giving the notice on behalf of the municipality of such complaint, and the provisions of this Act as to giving notice of complaints against the assessment roll and proceedings for the trial thereof apply to complaints under this section except that the notice of complaint may be given at any time on or before the 14th day of October or the last day for appealing to the court of revision, whichever is the later.

School
support

(2) Subsection 3 of the said section 27 is amended by striking out "assessment commissioner or, if none, the assessor" in the third and fourth lines and inserting in lieu thereof "person to whom the notice has been given under subsection 1", so that the subsection shall read as follows:

R.S.O. 1960,
c. 23, s. 27,
subs. 3,
amended

- (3) Notwithstanding subsection 1, if the notice of complaint is received more than thirty days before the last day for giving the notice under subsection 1,

Revised
assessment
notice

the person to whom the notice has been given under subsection 1 shall prepare and deliver to the clerk of the municipality, on or before the last day for giving the notice of complaint, a revised assessment notice showing liability in accordance with the circumstances existing at the time the notice of complaint was given, which notice shall be sent by the clerk, with the notice of the sitting of the court of revision to consider the complaint, to the owner or tenant to be assessed, to the owner or tenant appearing on the assessment roll and to the complainant, and the court of revision shall amend the roll in accordance with such revised assessment notice unless one of the parties concerned or his agent appears at the hearing and objects thereto, in which event the court of revision shall determine the matter as provided in subsection 1.

R.S.O. 1960,
c. 23, s. 43,
subs. 2,
amended

2. Subsection 2 of section 43 of *The Assessment Act* is amended by inserting after "be" where it occurs the second time in the third line "owned by and", so that the subsection shall read as follows:

Property
deemed
vested in
commission

- (2) For the purposes of this section, land and buildings owned by and vested in a municipal corporation and used for the purposes of a public utility shall be deemed to be owned by and vested in the commission operating the public utility.

R.S.O. 1960,
c. 23, s. 53,
subs. 4a
(1966,
c. 10, s. 11,
subs. 3),
re-enacted

3. Subsection 4a of section 53 of *The Assessment Act*, as enacted by subsection 3 of section 11 of *The Assessment Amendment Act, 1966*, is repealed and the following substituted therefor:

Evidence of
delivery
of notice

- (4a) When a notice has been delivered under subsection 4, the assessor shall enter in the collector's roll, opposite the name of the person, the date of delivery of the notice or shall make one or more certificates to be attached to the roll or to any part of the roll certifying the date or dates upon which the notices were delivered, and the entry, certificate and certificates are *prima facie* evidence of the delivery.

R.S.O. 1960,
c. 23, s. 54,
subs. 3a
(1966,
c. 10, s. 12,
subs. 2),
re-enacted

4. Subsection 3a of section 54 of *The Assessment Act*, as enacted by subsection 2 of section 12 of *The Assessment Amendment Act, 1966*, is repealed and the following substituted therefor:

- (3a) When a notice has been delivered under subsection 3, ^{Evidence of delivery of notice} the assessor shall enter in the assessment roll, opposite the name of the person, the date of delivery of the notice or shall make one or more certificates to be attached to the roll or to any part of the roll certifying the date or dates upon which the notices were delivered, and the entry, certificate and certificates are *prima facie* evidence of the delivery.

5. Subsection 1 of section 65a of *The Assessment Act*, ^{R.S.O. 1960, c. 23, s. 65a, subs. 1, (1965, c. 6, s. 4), amended} as re-enacted by section 4 of *The Assessment Amendment Act*, 1965, is amended by striking out "each" in the fourth line and inserting in lieu thereof "the", so that the subsection shall read as follows:

- (1) Where a by-law is passed in any year under subsection 2 of section 93a appointing a county assessment commissioner, the council of the county shall, in the subsequent year, constitute by by-law one or more courts of revision for each township, town and village in the county. ^{Courts of revision under county assessment commissioner}

6.—(1) Subsection 1 of section 72 of *The Assessment Act* ^{R.S.O. 1960, c. 23, s. 72, subs. 1, amended} is amended by striking out "assessment commissioner or, if none, to the clerk of the municipality" in the fifth and sixth lines and inserting in lieu thereof "person whose name appears on the assessment notice as the person giving the notice on behalf of the municipality" and by adding at the end thereof "and the person receiving such notice shall immediately transmit it to the clerk", so that the subsection shall read as follows:

- (1) Any person complaining of an error or omission in regard to himself, as having been wrongly inserted in or omitted from the roll or as having been undercharged or overcharged by the assessor in the roll, may personally or by his agent give notice in writing to the person whose name appears on the assessment notice as the person giving the notice on behalf of the municipality that he considers himself aggrieved for any or all of the causes aforesaid, and shall give a name and address where notices can be served by the clerk of the municipality as hereinafter provided, and the person receiving such notice shall immediately transmit it to the clerk. ^{Notice of complaint by person aggrieved}

(2) Subsection 2 of the said section 72 is amended by ^{R.S.O. 1960 c. 23, s. 72, subs. 2, amended} striking out "to the assessment commissioner or, if none, to the clerk of the municipality" in the first and second lines, so that the subsection shall read as follows:

Time within
which
notices of
appeal to
the court
are to be
given

- (2) The notice shall be given within fourteen days after the day upon which the roll is required by law to be returned, or within fourteen days after the return of the roll, in case the roll is not returned within the time fixed for that purpose.

R.S.O. 1960,
c. 23, s. 72,
subs. 3,
amended

- (3) Subsection 3 of the said section 72 is amended by striking out "to the assessment commissioner or, if none" in the fourth and fifth lines, so that the subsection shall read as follows:

When
elector
thinks
any person
assessed at
too low or
too high
a rate

- (3) If a person assessed thinks that any person has been assessed too low or too high or has been wrongly inserted in or omitted from the roll, he may, within the time limited by subsection 2, give notice in writing to the clerk of the municipality, and the clerk of the municipality shall give notice to such person and to the assessor of the time when the matter will be tried by the court of revision, and the matter shall be decided in the same manner as complaints by a person assessed with regard to his own assessment.

R.S.O. 1960,
c. 23, s. 93,
subs. 3,
repealed

7. Subsection 3 of section 93 of *The Assessment Act* is repealed.

R.S.O. 1960,
c. 23, s. 104,
subs. 8a
(1966,
c. 10, s. 16,
subs. 1),
re-enacted

8. Subsection 8a of section 104 of *The Assessment Act*, as enacted by subsection 1 of section 16 of *The Assessment Amendment Act, 1966*, is repealed and the following substituted therefor:

Where
locality in
more than
one
territorial
district

- (8a) Where a locality, except an improvement district, includes part of two or more territorial districts and a district assessor has been appointed for only one of the territorial districts, the district assessor shall have all the powers, duties and privileges under this and every other Act of an assessor and an assessment commissioner and he shall be deemed, for the purposes of this and every other Act, to be the assessor and assessment commissioner for the whole of such locality, and, where a locality, except an improvement district, includes parts of two or more territorial districts and district assessors have been appointed for two or more of such territorial districts, the district assessor of the territorial district in which the greater portion of the assessment of such locality is situate shall have all the powers, duties and privileges under this and every other Act of an assessor and an assessment commissioner and he shall be deemed, for the purposes of this and every other Act, to be the assessor and assessment commissioner for the whole of such locality.

9.—(1) Form 2 of *The Assessment Act*, as amended by R.S.O. 1960, c. 23, Form 2, amended section 20 of *The Assessment Amendment Act, 1960-61*, is further amended by striking out “the Assessment Commissioner or, if none, the clerk of the municipality in writing” in the fourth line in the first paragraph and inserting in lieu thereof “in writing the person whose name appears on this notice as the person giving the notice on behalf of the municipality”, so that the paragraph shall read as follows:

Take notice that you are assessed for taxation as herein specified. If you deem yourself improperly assessed in any respect you or your agent may within days after the day of 19

(Insert date on which Roll is to be returned)

notify in writing the person whose name appears on this notice as the person giving the notice on behalf of the municipality of your complaint and it will be tried by the Court of Revision.

(2) The said Form 2 is further amended by striking out R.S.O. 1960, c. 23, Form 2, amended “To the Assessment Commissioner or, if none, the clerk of the municipality” in the second line in the paragraph headed Notice of Appeal from Assessment and inserting in lieu thereof “To

(Insert the name of the person whose name appears on this notice as the person giving the notice on behalf of the municipality)”,

so that the paragraph shall read as follows:

NOTICE OF APPEAL FROM ASSESSMENT

Roll No (19.....)

THE OF
(Name of Municipality)

To.....
(Insert the name of the person whose name appears on this notice as the person giving the notice on behalf of the municipality)

Take notice that I hereby appeal from the assessment made under the above-mentioned Roll Number for the following reasons:—

.

10. This Act comes into force on the day it receives Royal Commence-
Assent. ment

11. This Act may be cited as *The Assessment Amendment Act, 1967*. Short title

An Act to amend The Assessment Act

1st Reading

May 8th, 1967

2nd Reading

May 26th, 1967

3rd Reading

June 12th, 1967

MR. SPOONER

BILL 111

5TH SESSION, 27TH LEGISLATURE, ONTARIO
15-16 ELIZABETH II, 1967

An Act to amend The Municipal Act

MR. SPOONER

THE FIRST OF THE ABOVE IS THE ORIGINAL AND
THE SECOND IS A COPY OF THE SAME

TO THE HONORABLE CHIEF JUSTICE OF THE SUPREME COURT

EXPLANATORY NOTES

SECTION 1—Subsection 1. The amendment authorizes the Municipal Board to require compensating grants to be made to a county where as a result of annexation or amalgamation orders the county assessment is reduced by not less than a total of 15 per cent within a three-year period.

Subsection 2. The subsection is revised to refer to territorial districts as well as to counties.

BILL 111

1967

An Act to amend The Municipal Act

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1.—(1) Subsection 10 of section 14 of *The Municipal Act*, R.S.O. 1960, c. 249, s. 14, as amended by section 3 of *The Municipal Amendment Act*, subs. 10, 1965 and section 2 of *The Municipal Amendment Act*, 1966, amended is further amended by adding thereto the following clause:

(ja) where by reason of annexation or amalgamation orders made under this section within any three-year period a county will be deprived of not less than a total of 15 per cent of what its equalized assessment would have been except for such annexations or amalgamations, and no order has been made under clause j, authorize and direct the payment to such county by the annexing or amalgamated municipality, to relieve such county from any undue burden by reason of the loss of such assessment, of compensating grants during a period of not more than five years after the effective date of the last annexation or amalgamation in such amounts and manner as may be agreed upon between the county and the annexing or amalgamated municipality and approved by the Municipal Board or, failing agreement, as the Municipal Board may deem equitable after a public hearing in each case.

(2) Subsection 22 of the said section 14 is repealed and the following substituted therefor: R.S.O. 1960, c. 249, s. 14, subs. 22, re-enacted

(22) Where part of a local municipality becomes part of a local municipality in another county or territorial district, it thereafter forms part of that county or territorial district except for the purpose of representation in the Assembly. Adding parts to municipality in another county or territorial district

R.S.O. 1960,
c. 249, s. 19,
subs. 1,
amended

2. Subsection 1 of section 19 of *The Municipal Act* is amended by striking out "for all purposes stands in the place and stead of the annexed or former municipality or municipalities" in the thirteenth and fourteenth lines and inserting in lieu thereof "and its local boards for all purposes stand in the place and stead of the annexed or former municipality or municipalities and its or their local boards", so that the subsection shall read as follows:

Assets, etc.,
on annexa-
tions, amal-
gamations,
erections

(1) Where,

- (a) the whole of a municipality is annexed to another municipality;
- (b) two or more municipalities are amalgamated;
- (c) an improvement district is erected into a village, township or town;
- (d) a village is erected into a town;
- (e) a village, town or township is erected into a city,

all the assets and liabilities of the annexed or former municipality or municipalities and its or their local boards are assets and liabilities of the annexing or new municipality and its local boards, and the annexing or new municipality and its local boards for all purposes stand in the place and stead of the annexed or former municipality or municipalities and its or their local boards.

R.S.O. 1960,
c. 249, s. 32
(1966, s. 32
c. 93, s. 5),
subs. 3,
amended

3. Subsection 3 of section 32 of *The Municipal Act*, as re-enacted by section 5 of *The Municipal Amendment Act, 1966*, is amended by striking out "mayor" in the third line and inserting in lieu thereof "reeve", so that the subsection shall read as follows:

Election
by wards

- (3) If the village or township has been divided into wards, the council may provide that the council shall consist of a reeve and one councillor for each ward and the remaining councillors to complete the full number of four, six, seven or nine, as the case may be, to be elected by general vote.

R.S.O. 1960,
c. 249, s. 35,
subs. 1,
cl. m,
amended

4.—(1) Clause *m* of subsection 1 of section 35 of *The Municipal Act* is amended by inserting after "board" in the second line "whose term of office has at least two months to run after the day on which the nomination meeting for a new election is to be held", so that the clause shall read as follows:

SECTION 2. The subsection as it now reads provides for the transfer of assets and liabilities of the annexed or former municipality or municipalities and its or their local boards to the annexing or new municipality and its local boards but then goes on to state that the annexing or new municipality stands in the place and stead of the former or annexed municipality or municipalities but omits any mention of the local boards of the annexing or new municipality standing in the place and stead of the local boards of the former or annexed municipality or municipalities. The amendment is to correct this omission.

SECTION 3. The amendment is to correct an error in subsection 3.

SECTION 4—Subsection 1. The amendment provides that a school trustee need not resign to qualify for municipal office if his term of office has less than two months to run before the opening of the nomination meeting.

Subsection 2. The amendment provides that a person is not disqualified as a member of council merely because he owns land in a redevelopment area that is acquired by the municipality.

SECTION 5. In this subsection, "may" has been interpreted as "shall" and is changed accordingly.

SECTION 6. Clauses *c* and *d* are revised for the purpose of clarification.

- (m) a member of a board of education or of a public, separate or high school board, whose term of office has at least two months to run after the day on which the nomination meeting for a new election is to be held, unless before the opening of the nomination meeting he has filed his resignation with the secretary of the board.

(2) Clause *l* of subsection 3 of the said section 35, as enacted by subsection 4 of section 3 of *The Municipal Amendment Act, 1961-62*, is repealed and the following substituted therefor:

R.S.O. 1960,
c. 249, s. 35,
subs. 3,
cl. *l*
(1961-62,
c. 86, s. 3,
subs. 4),
re-enacted

- (*l*) of his having entered into an agreement with the corporation in respect of the acquisition of land by the corporation for a road-widening or curve-adjustment or in a redevelopment area designated by the council with the approval of the Minister under subsection 2 of section 20 of *The Planning Act* or of his having any claim or proceeding against the corporation in respect of such acquisition of land.

R.S.O. 1960,
c. 296

5. Subsection 9 of section 37 of *The Municipal Act* is amended by striking out "may" in the ninth line and inserting in lieu thereof "shall", so that the subsection shall read as follows:

R.S.O. 1960,
c. 249, s. 37,
subs. 9,
amended

- (9) Where after the voters' list has been finally revised and the name of a person entitled to be entered thereon under this section by reason of being the wife or husband of a person rated or entitled to be rated for land as owner or tenant has been omitted therefrom, if the person rated or entitled to be rated for land as owner or tenant is entered on the last revised assessment roll or has been added to the assessment roll under section 54 of *The Assessment Act* and such wife or husband is not otherwise disqualified, the clerk shall issue a certificate (Form 10) authorizing the returning officer or proper deputy returning officer or proper poll clerk to enter the name of such wife or husband on the voters' list to entitle her or him to vote as if her or his name had been entered thereon before the list was revised.

Idem

R.S.O. 1960,
c. 23

6.—(1) Clause *c* of subsection 1 of section 48 of *The Municipal Act*, as amended by section 8 of *The Municipal Amendment Act, 1965*, is repealed and the following substituted therefor:

R.S.O. 1960,
c. 249, s. 48,
subs. 1,
cl. *c*,
re-enacted

- (c) a certificate of the treasurer or collector that there were, at the time of the opening of the nomination meeting, no unpaid taxes for any preceding year against the land in respect of which he is qualifying or a statutory declaration to the same effect or a statutory declaration that he is qualifying in respect of land of which he is a tenant where the taxes in respect of the land are, under the terms of tenancy, payable by the owner of the land and that the rental therefor is not overdue and unpaid at the time of the opening of the nomination meeting; and

R.S.O. 1960, c. 249, s. 48, subs. 1, cl. d enacted by section 8 of *The Municipal Amendment Act, 1965*, (1965, c. 77, s. 8), re-enacted

(2) Clause *d* of subsection 1 of the said section 48, as enacted by section 8 of *The Municipal Amendment Act, 1965*, is repealed and the following substituted therefor:

- (d) a certificate of the treasurer or collector that there were, at the time of the opening of the nomination meeting, no unpaid taxes against him in respect of an assessment for business or a statutory declaration to the same effect.

R.S.O. 1960, c. 249, s. 144, cl. g, amended

7.—(1) Clause *g* of section 144 of *The Municipal Act* is amended by striking out “elected” in the first line and inserting in lieu thereof “appointed”, so that the clause shall read as follows:

- (g) is appointed to fill a vacancy in the office of mayor, reeve or deputy reeve; or

R.S.O. 1960, c. 249, s. 144, cl. h, amended

(2) Clause *h* of the said section 144 is amended by striking out “elected” in the first line and inserting in lieu thereof “appointed”, so that the clause shall read as follows:

- (h) is appointed to fill a vacancy in the board of control,

R.S.O. 1960, c. 249, s. 205, subs. 2, amended

8. Subsection 2 of section 205 of *The Municipal Act* is amended by striking out “elect” in the second line and inserting in lieu thereof “appoint”, so that the subsection shall read as follows:

Filling
vacancies

- (2) If a vacancy occurs in the office of controller, the council, at a meeting called for that purpose, shall appoint a person to fill the vacancy for the unexpired term of the member whose seat has become vacant.

SECTION 7. Section 144 provides that the seat of a member becomes vacant under the circumstances in clauses *g* and *h*. The appropriate sections now use the words "appointed by the council" instead of "elected by the council". The amendments are to bring clauses *g* and *h* in line with such wording.

SECTION 8. The amendment is to make this provision consistent with the provisions of section 150 respecting the filling of vacancies in the office of mayor or reeve.

SECTION 9—Subsections 1 and 2. This provision in its present location is stated to be a duty of the board of control whereas it is a power that may be exercised by the board of control and the duty is only to report. The amendments are merely for clarification.

Subsection 3. The subsection repealed is only to preserve the powers of a head of a department, which he possessed on the 7th day of April, 1896, and is now unnecessary.

SECTION 10. This section deals with boards of control in cities having a population of 45,000 or less. It has never been used since the original enactment of the section in 1933. In the meantime, new legislation was introduced in 1961-62 providing for boards of control for cities of not less than 45,000 and for local municipalities having a population of not less than 100,000. The section serves no useful purpose and is, therefore, repealed.

SECTION 11. This is a similar amendment to that made in *The Judicature Act* in 1966 in respect of salaried officers of the Crown that has similar application to salaried officers of municipalities.

SECTION 12. The amendment merely changes the name of *The Homes for the Aged Act* in accordance with the recent change in title.

SECTION 13. The amendments are to make it clear that a by-law under this section may provide for early levies in succeeding years as well as the year in which it is passed and that the by-law remains in force until repealed.

9.—(1) Clause *e* of subsection 1 of section 206 of *The Municipal Act* is repealed. R.S.O. 1960,
c. 249,
s. 206,
subs. 1, cl. *e*,
repealed

(2) The said section 206 is amended by adding thereto the following subsection: R.S.O. 1960,
c. 249,
s. 206,
amended

(1a) The board of control may dismiss or suspend any head of a department and shall forthwith report such dismissal or suspension to the council. Dismissal
of depart-
ment heads

(3) Subsection 18 of the said section 206 is repealed. R.S.O. 1960,
c. 249,
s. 206,
subs. 18,
repealed

10. Section 207 of *The Municipal Act*, as amended by section 30 of *The Municipal Amendment Act, 1961-62* and section 10 of *The Municipal Amendment Act, 1966*, is repealed. R.S.O. 1960,
c. 249,
s. 207,
repealed

11. Subsection 5 of section 238 of *The Municipal Act* is repealed and the following substituted therefor: R.S.O. 1960,
c. 249,
s. 238,
subs. 5,
re-enacted

(5) Notwithstanding any other Act, in any proceeding to which a municipality is a party, costs adjudged to the municipality shall not be disallowed or reduced merely because the solicitor or the counsel who earned such costs, or in respect of whose services the costs are charged, was a salaried officer of the municipality performing such services in the discharge of his duty and remunerated therefor by his salary, or for that or any other reason was not entitled to recover any costs from the municipality in respect of the services so rendered, and the costs recovered by or on behalf of the municipality in any such case shall be paid into the general funds of the municipality. Costs of
municipality
in any
proceeding

12. Clause *n* of subsection 2 of section 286 of *The Municipal Act* is repealed and the following substituted therefor: R.S.O. 1960,
c. 249,
s. 286,
subs. 2,
cl. *n*,
re-enacted

(*n*) agreements respecting homes under *The Homes for the Aged and Rest Homes Act*. R.S.O. 1960,
c. 174

13.—(1) Subsection 1 of section 294a of *The Municipal Act*, as enacted by section 11 of *The Municipal Amendment Act, 1960-61*, is repealed and the following substituted therefor: R.S.O. 1960,
c. 249,
s. 294a
(1960-61,
c. 59, s. 11),
subs. 1,
re-enacted

(1) Notwithstanding section 294, the council of every local municipality may by by-law passed before the adoption of the estimates in any year provide that in that year and in each succeeding year the council may, before the adoption of the estimates for that year, levy on the whole of the assessment for real property according to the last revised assessment Levy
authorized
before
estimates
adopted

roll a sum not exceeding 50 per cent of that which would be produced by applying to such assessment the total rate for all purposes levied in the preceding year on residential real property of public school supporters, and such by-law shall remain in force from year to year until it is repealed and any by-law repealing such by-law shall be effective only at the end of any year.

R.S.O. 1960,
c. 249,
s. 294a,
subs. 1a
(1966,
c. 93, s. 17,
subs. 1),
re-enacted

(2) Subsection 1a of the said section 294a, as enacted by subsection 1 of section 17 of *The Municipal Amendment Act, 1966*, is repealed and the following substituted therefor:

Business
assessment

(1a) Where the council of a local municipality has not provided for taking the assessment of business during the same year in which the rates of taxation thereon are to be levied under section 130 of *The Assessment Act*, the council, notwithstanding section 294, may by by-law passed before the adoption of the estimates in any year provide that in that year and in each succeeding year the council may, before the adoption of the estimates for the year, levy on the whole of the business assessment according to the last revised assessment roll a sum not exceeding 50 per cent of that which would be produced by applying to such assessment the total rate for all purposes levied in the preceding year on business assessment of public school supporters, and such by-law shall remain in force from year to year until it is repealed and any by-law repealing such by-law shall be effective only at the end of any year.

R.S.O. 1960,
c. 249,
s. 333,
amended

14. Section 333 of *The Municipal Act*, as amended by section 8 of *The Municipal Amendment Act, 1964*, is further amended by adding thereto the following subsection:

Lease

(1a) Without limiting the generality of this section, in subsection 1 "otherwise dispose of" shall be deemed to include and to have always included a lease.

R.S.O. 1960,
c. 249,
s. 377,
par. 11
(1962-63,
c. 87, s. 15,
subs. 1),
re-enacted

15.—(1) Paragraph 11 of section 377 of *The Municipal Act*, as re-enacted by subsection 1 of section 15 of *The Municipal Amendment Act, 1962-63*, is repealed and the following substituted therefor:

Officers
becoming
members of
associations
for
improving
technical
skill

11. For any of the elected or appointed officers of the corporation becoming members of any municipal union or association or any other association for extending and improving the technical skill of such officers in the discharge of their municipal duties,

SECTION 14. By reason of a court decision, some doubt has arisen as to the power of a municipality to lease land under its power to "otherwise dispose of land". The amendment is to make it clear that such power includes power to lease land.

SECTION 15—Subsection 1. Paragraph 11 is revised for the purpose of clarification.

Subsections 2 and 3. The requirement that sick leave credits be transferred from one municipality to another is eliminated and municipalities are authorized to provide for placing the earned credits of an employee formerly employed by another municipality or local board to the credit of the employee in their sick leave credit plans. As section 39 of *The Schools Administration Act* authorizes school boards to provide sick leave credit plans, school boards are excepted from clause c.

SECTION 16—Subsections 1, 2 and 3. The amendments permit municipalities to prohibit or regulate the keeping of reptiles and to restrict the number that may be kept.

and for paying the whole or part of the fees for such membership or for tuition of officers or employees enrolled in any course of instruction sponsored by such union or association, and for paying the expenses of such officers attending any meeting of such union or association or upon its business.

(2) Clause *b* of paragraph 60 of the said section 377, as amended by subsection 3 of section 22 of *The Municipal Amendment Act, 1966*, is repealed and the following substituted therefor:

R.S.O. 1960,
c. 249,
s. 377,
par. 60,
cl. *b*,
re-enacted

- (b) A by-law passed under this paragraph may provide, upon such terms and conditions as may be prescribed, for placing to the credit of an employee formerly employed by another municipality or local board which had established a sick leave credit plan under this or any other general or special Act the whole or any part of the sick leave credits standing to the credit of the employee in the plan of the municipality or local board formerly employing the employee.

Allowing
of credits
on transfer
of
employment

(3) Clause *c*, as enacted by subsection 2 of section 14 of *The Municipal Amendment Act, 1960-61*, and clause *d*, as enacted by subsection 4 of section 22 of *The Municipal Amendment Act, 1966*, of paragraph 60 of the said section 377 are repealed and the following substituted therefor:

R.S.O. 1960,
c. 249,
s. 377,
par. 60, cl. *c*
(1960-61,
c. 59, s. 14,
subs. 2),
re-enacted;
cl. *d*,
(1966,
c. 93, s. 22,
subs. 4),
repealed

- (c) Any local board, except a school board, may establish a plan of sick leave credit gratuities for any class thereof, and the provisions of this paragraph apply *mutatis mutandis* thereto.

Local
boards

16.—(1) Paragraph 1 of subsection 1 of section 379 of *The Municipal Act* is amended by inserting after “foxes” in the second line “reptiles”, so that the paragraph shall read as follows:

R.S.O. 1960,
c. 249,
s. 379,
subs. 1,
par. 1,
amended

1. For regulating the keeping of domestic fowl or pigeons or cattle, goats, swine, horses, rabbits, mink, foxes, reptiles or other animals, or kennels for the breeding or boarding of cats and dogs, within the municipality or defined areas thereof.

Regulating
the keeping
of animals,
etc.

(2) Paragraph 1*a* of subsection 1 of the said section 379, as enacted by subsection 1 of section 27 of *The Municipal Amendment Act, 1965*, is amended by inserting after “foxes” in the third line “reptiles”, so that the paragraph shall read as follows:

R.S.O. 1960,
c. 249,
s. 379,
subs. 1,
par. 1*a*
(1965,
c. 77, s. 27,
subs. 1),
amended

Restricting
number of
animals that
may be kept

- 1a. For restricting the number of domestic fowl or pigeons or cattle, goats, swine, horses, rabbits, mink, foxes, reptiles or other animals that may be kept by any person within the municipality or defined areas thereof.

R.S.O. 1960,
c. 249,
s. 379,
subs. 1,
par. 2,
amended

- (3) Paragraph 2 of subsection 1 of the said section 379 is amended by inserting after "foxes" in the second line "reptiles", so that the paragraph shall read as follows:

Prohibiting
keeping of
animals, etc.

2. For prohibiting the keeping of domestic fowl or cattle, goats, swine, rabbits, mink, foxes, reptiles or other animals, except horses or mules, within the municipality or defined areas thereof.

R.S.O. 1960,
c. 249,
s. 379,
subs. 1,
par. 75,
amended

- (4) Paragraph 75 of subsection 1 of the said section 379 is amended by striking out "and for acquiring land within the municipality or in any adjacent municipality with the consent of the council thereof for any of the purposes of this paragraph" in the sixth, seventh, eighth and ninth lines, so that the paragraph, exclusive of the clause, shall read as follows:

Collection,
removal and
disposal of
garbage, etc.

75. For establishing and maintaining a system for the collection, removal and disposal of garbage or of garbage and other refuse or of ashes, garbage and other refuse, and for contracting with any person for the collection, removal and disposal by him of ashes, garbage and other refuse upon such terms and conditions as may be deemed expedient, and for erecting and maintaining with the approval of the Department of Health such buildings, machinery and plant as may be deemed necessary for the purposes of this paragraph.

R.S.O. 1960,
c. 249,
s. 379,
subs. 1,
par. 76,
re-enacted

- (5) Paragraph 76 of subsection 1 of the said section 379 is repealed and the following substituted therefor:

Acquisition
of land for
garbage
disposal

76. For acquiring land in any local municipality or any unorganized territory for any of the purposes of paragraph 75, provided that this power shall not be exercised without,

(a) the approval of the local municipality in which the land is situate, which approval may be granted upon such terms and conditions as may be agreed upon; or

(b) the approval of the Municipal Board.

Subsections 4, 5 and 6. At present, the acquisition of waste disposal sites is permitted only in an adjacent municipality with the consent of the council of such municipality. The amendments permit the acquisition of waste disposal sites in any local municipality with the approval of the local municipality or of the Municipal Board.

Subsection 7. Paragraph 114 is revised to permit by-laws to be applicable within defined areas of a municipality and to refer to noises "likely to disturb" rather than "calculated to disturb".

SECTION 17. As journeymen electricians are now licensed by the Department of Labour, paragraph 5 is revised to exclude journeymen electricians from the municipal licensing provisions.

76a. The Municipal Board, before giving its approval Approval of
O.M.B. under clause *b* of paragraph 76, shall hold a public hearing and shall give or cause to be given at least ten days notice of the hearing to the clerk of the local municipality concerned and to such other persons in such manner as the Municipal Board may direct and the Municipal Board, as a condition to giving any such approval, may by its order impose such restrictions, limitations and conditions respecting the acquisition or use of such land as to the Municipal Board may appear necessary or expedient and the Municipal Board may order the amendment of any official plan or any by-law passed under section 30 of *The Planning Act* to permit the use of the R.S.O. 1960,
c. 296 land for the purposes for which it is to be acquired.

(6) Paragraph 112 of subsection 1 of the said section 379 R.S.O. 1960,
c. 249,
s. 379,
subs. 1,
par. 112,
amended is amended by adding thereto the following clause:

(b) A by-law under this paragraph does not apply to any other municipality.

(7) Paragraph 114 of subsection 1 of the said section 379 R.S.O. 1960,
c. 249,
s. 379,
subs. 1,
par. 114,
re-enacted is repealed and the following substituted therefor:

114. For prohibiting or regulating, within the municipality or within any defined area or areas thereof, the ringing of bells, the blowing of horns, shouting and unusual noises, or noises likely to disturb the inhabitants. Noise

17. Paragraph 5 of section 401 of *The Municipal Act* is R.S.O. 1960,
c. 249,
s. 401,
par. 5,
re-enacted repealed and the following substituted therefor:

5. For examining, licensing, regulating and governing Electrical
workers electrical contractors and master electricians or for permitting them by reason of registration with the Electrical Contractors Association of Ontario or other qualification to carry on their trade without examination or licence, or both.

(a) In this paragraph, "master electrician" means a person who is skilled in the planning, superintending and installing of wires, conduits, apparatus, fixtures or other appliances for the carrying or using of electricity for light, heat or power purposes, who is familiar with the laws, rules and regulations governing the same, who has a regular place of business in the municipality and who, himself, or by

journeymen electricians in his employ, performs electrical work; and "journeyman electrician" means a person who has been issued a certificate of qualification in the trade of electrician by the Department of Labour.

- (b) The by-law does not apply to the employees of a public service commission or corporation.

R.S.O. 1960,
c. 249,
s. 406a
(1961-62,
c. 86, s. 45),
re-enacted

18. Section 406a of *The Municipal Act*, as enacted by section 45 of *The Municipal Amendment Act, 1961-62*, is repealed and the following substituted therefor:

Accident,
etc.,
insurance
re members
of council
R.S.O. 1960,
c. 190

406a. The council of a municipality may pass by-laws for providing by contract with an insurer licensed under *The Insurance Act*,

- (a) group accident insurance to indemnify any member of council or his estate against loss in case he is accidentally killed or injured; and
- (b) group public liability and property damage insurance to indemnify any member of council or his estate in respect of loss or damage for which he has become liable by reason of injury to persons or property or in respect of loss or damage suffered by him by reason of injury to his own property,

while travelling on the business of the corporation or in the performance of his duties as a member of council either within or outside the municipality.

R.S.O. 1960,
c. 249,
s. 409,
re-enacted

19. Section 409 of *The Municipal Act* is repealed and the following substituted therefor:

Appoint-
ment of
member of
council as
commis-
sioner, etc.

409. A member of the council of a village or township having a population of 3,000 or less may be appointed commissioner, superintendent or overseer of any work, other than a highway, undertaken wholly or in part at the expense of the corporation, and may be paid the like remuneration for his services as if he were not a member of the council.

R.S.O. 1960,
c. 249,
s. 469,
par. 3
(1966,
c. 93, s. 34),
re-enacted

20. Paragraph 3 of section 469 of *The Municipal Act*, as re-enacted by section 34 of *The Municipal Amendment Act, 1966*, is repealed and the following substituted therefor:

Use of
highways
by owners
and lessees
of abutting
lands

3. For permitting the owners of land to make, maintain and use areas under and openings to them in the highways and sidewalks and for permitting the

SECTION 18. At present, section 406a only provides for group accident insurance to indemnify members of council against death or injury. Clause *b* is new and provides for public liability and property damage insurance.

SECTION 19. At present, the members of the council of a county, village or township may be appointed as commissioners, superintendents or overseers. The amendment limits the section to members of council of a village or township having a population of 3,000 or less.

SECTION 20. This paragraph provides for temporary coverings to gain access to buildings used for purposes of clubs, restaurants, hotels and places of entertainment from the edge of the travelled portion of the road to the entrance to the building. At present, the section only provides for canopies that project over the sidewalks and does not permit the installation of covers with supporting posts and frames. The paragraph is revised to authorize municipalities to permit covers over the sidewalks and untravelled portions of a highway with supporting posts and frames.

owners or lessees of land abutting on one side of a highway to construct, maintain and use a bridge or other structure over, across or under the highway for the purpose of access to land on the other side of the highway, which any such owner or lessee owns or leases or in respect of which he has a licence of occupation, and for permitting the owners of land to maintain and use signs and other advertising devices that project over the sidewalks, movable receptacles containing plants, shrubs or trees over or upon the sidewalks and canopies that project over the sidewalks, and for permitting the owners or lessees of land to make, maintain and use over the sidewalks and untravelled portions of the highway covers of cloth, rubber, plastic or similar material with suitable frames therefor at a height of not less than eight feet above the highway together with posts for the support of such cover and frame, and for permitting the owners or lessees of land to install, maintain and use heating devices in, under, over or upon the sidewalks, and for prescribing the terms and conditions upon which the same shall be made, constructed, installed, maintained and used and for making such annual or other charge for the privilege conferred by the by-law as the council may deem reasonable, and for providing that, upon the termination of such privilege, the highway shall be restored to its former condition at the expense of the owner or lessee of the land, to which the privilege is appurtenant, by filling in the area or opening, removing the bridge, structure, sign or other advertising device, receptacle, canopy, cover, frame and posts or heating device or otherwise as may be required by the by-law.

- (a) Such annual or other charge and any expense ^{Charge} incurred by the corporation in restoring the highway to its former condition is payable, and payment of it may be enforced in like manner as taxes are payable, and payment of them may be enforced.
- (b) The corporation is liable for any want of repair ^{Liability of corporation for damages} of the highway that may result from the construction, installation, maintenance and use of any such area or opening, bridge or structure, sign or advertising device, receptacle, canopy, cover, frame and posts or heating device, but is entitled to the remedy over provided for by section 450 against the person by whose act or omission the want of repair is caused.

R.S.O. 1960,
c. 249,
s. 522,
subs. 8,
re-enacted

21. Subsection 8 of section 522 of *The Municipal Act* is repealed and the following substituted therefor:

Secretary-
treasurer

(8) The board shall appoint a secretary-treasurer who may be a member of the board, who shall hold office during pleasure and, with respect to the improvement district, has the powers and shall perform the duties of,

(a) the clerk, treasurer and collector of a municipality;

(b) the assessor of a municipality, except where a county assessment commissioner or district assessor has been appointed for the county or district in which the improvement district is situated; and

(c) the secretary and treasurer of every local board of which the members are the members of the board of trustees.

Authority
to apply to
erect certain
improvement
districts
into a
village or
township
R.S.O. 1960,
c. 249

22. Notwithstanding that the improvement districts of Dorion, Sioux Narrows and Bicroft do not have the population required for the purpose of subsection 1 or 2 of section 11 of *The Municipal Act*, an application may be made under such subsection 1 or 2 by any of such improvement districts or by the Minister of Municipal Affairs when authorized by the Lieutenant Governor in Council for the erection of the improvement district into a village or a township.

Commence-
ment

23.—(1) This Act, except section 19, comes into force on the day it receives Royal Assent.

Idem

(2) Section 19 comes into force on the 1st day of January, 1968.

Short title

24. This Act may be cited as *The Municipal Amendment Act, 1967*.

SECTION 21. Under sections 93a and 104 of *The Assessment Act*, the county assessment commissioner and the district assessor are assessors for every local municipality in the county or district. Subsection 8 is revised to remove an apparent conflict between this subsection and the provisions of *The Assessment Act*.

SECTION 22. Under section 11 of *The Municipal Act*, an improvement district having a population of not less than 500 may apply to the Municipal Board to become a village or, having a population of not less than 1,000, may apply to the Municipal Board to become a township.

Received of the Treasurer of the
 State of New York

the sum of Five Hundred Dollars

for the purchase of
 land in the town of
 Westchester

in full for the purchase of the land in the town of Westchester

An Act to amend The Municipal Act

1st Reading

May 8th, 1967

2nd Reading

3rd Reading

MR. SPOONER

BILL 111

5TH SESSION, 27TH LEGISLATURE, ONTARIO
15-16 ELIZABETH II, 1967

An Act to amend The Municipal Act

MR. SPOONER

(Reprinted as amended by the Committee on Legal Bills and Municipal Affairs)

EXPLANATORY NOTES

SECTION 1—Subsection 1. The amendment authorizes the Municipal Board to require compensating grants to be made to a county where as a result of annexation or amalgamation orders the county assessment is reduced by not less than a total of 15 per cent within a three-year period.

Subsection 2. The subsection is revised to refer to territorial districts as well as to counties.

BILL 111

1967

An Act to amend The Municipal Act

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1.—(1) Subsection 10 of section 14 of *The Municipal Act*, R.S.O. 1960, c. 249, s. 14, as amended by section 3 of *The Municipal Amendment Act*, 1965 and section 2 of *The Municipal Amendment Act*, 1966, subs. 10, amended is further amended by adding thereto the following clause:

(ja) where by reason of annexation or amalgamation orders made under this section within any three-year period a county will be deprived of not less than a total of 15 per cent of what its equalized assessment would have been except for such annexations or amalgamations, and no order has been made under clause j, authorize and direct the payment to such county by the annexing or amalgamated municipality, to relieve such county from any undue burden by reason of the loss of such assessment, of compensating grants during a period of not more than five years after the effective date of the last annexation or amalgamation in such amounts and manner as may be agreed upon between the county and the annexing or amalgamated municipality and approved by the Municipal Board or, failing agreement, as the Municipal Board may deem equitable after a public hearing in each case.

(2) Subsection 22 of the said section 14 is repealed and the following substituted therefor: R.S.O. 1960, c. 249, s. 14, subs. 22, re-enacted

(22) Where part of a local municipality becomes part of a local municipality in another county or territorial district, it thereafter forms part of that county or territorial district except for the purpose of representation in the Assembly. Adding parts to municipality in another county or territorial district

R.S.O. 1960,
c. 249, s. 19,
subs. 1,
amended

2. Subsection 1 of section 19 of *The Municipal Act* is amended by striking out "for all purposes stands in the place and stead of the annexed or former municipality or municipalities" in the thirteenth and fourteenth lines and inserting in lieu thereof "and its local boards for all purposes stand in the place and stead of the annexed or former municipality or municipalities and its or their local boards", so that the subsection shall read as follows:

Assets, etc.,
on annexa-
tions, amal-
gamations,
erections

(1) Where,

(a) the whole of a municipality is annexed to another municipality;

(b) two or more municipalities are amalgamated;

(c) an improvement district is erected into a village, township or town;

(d) a village is erected into a town;

(e) a village, town or township is erected into a city,

all the assets and liabilities of the annexed or former municipality or municipalities and its or their local boards are assets and liabilities of the annexing or new municipality and its local boards, and the annexing or new municipality and its local boards for all purposes stand in the place and stead of the annexed or former municipality or municipalities and its or their local boards.

R.S.O. 1960,
c. 249, s. 32
(1966,
c. 93, s. 5),
subs. 3,
amended

3. Subsection 3 of section 32 of *The Municipal Act*, as re-enacted by section 5 of *The Municipal Amendment Act, 1966*, is amended by striking out "mayor" in the third line and inserting in lieu thereof "reeve", so that the subsection shall read as follows:

Election
by wards

(3) If the village or township has been divided into wards, the council may provide that the council shall consist of a reeve and one councillor for each ward and the remaining councillors to complete the full number of four, six, seven or nine, as the case may be, to be elected by general vote.

R.S.O. 1960,
c. 249, s. 35,
subs. 1,
cl. m,
amended

4.—(1) Clause *m* of subsection 1 of section 35 of *The Municipal Act* is amended by inserting after "board" in the second line "whose term of office has at least two months to run after the day on which the nomination meeting for a new election is to be held", so that the clause shall read as follows:

SECTION 2. The subsection as it now reads provides for the transfer of assets and liabilities of the annexed or former municipality or municipalities and its or their local boards to the annexing or new municipality and its local boards but then goes on to state that the annexing or new municipality stands in the place and stead of the former or annexed municipality or municipalities but omits any mention of the local boards of the annexing or new municipality standing in the place and stead of the local boards of the former or annexed municipality or municipalities. The amendment is to correct this omission.

SECTION 3. The amendment is to correct an error in subsection 3.

SECTION 4—Subsection 1. The amendment provides that a school trustee need not resign to qualify for municipal office if his term of office has less than two months to run before the opening of the nomination meeting.

Subsection 2. The amendment provides that a person is not disqualified as a member of council merely because he owns land in a redevelopment area that is acquired by the municipality.

SECTION 5. In this subsection "may" has been interpreted as "shall" and is changed accordingly.

SECTION 6. Clauses *c* and *d* are revised for the purpose of clarification.

- (m) a member of a board of education or of a public, separate or high school board, whose term of office has at least two months to run after the day on which the nomination meeting for a new election is to be held, unless before the opening of the nomination meeting he has filed his resignation with the secretary of the board.

(2) Clause *l* of subsection 3 of the said section 35, as enacted by subsection 4 of section 3 of *The Municipal Amendment Act, 1961-62*, is repealed and the following substituted therefor:

R.S.O. 1960,
c. 249, s. 35,
subs. 3,
cl. *l*
(1961-62,
c. 86, s. 3,
subs. 4),
re-enacted

- (l) of his having entered into an agreement with the corporation in respect of the acquisition of land by the corporation for a road-widening or curve-adjustment or in a redevelopment area designated by the council with the approval of the Minister under subsection 2 of section 20 of *The Planning Act* or of his having any claim or proceeding against the corporation in respect of such acquisition of land.

R.S.O. 1960,
c. 296

5. Subsection 9 of section 37 of *The Municipal Act* is amended by striking out "may" in the ninth line and inserting in lieu thereof "shall", so that the subsection shall read as follows:

R.S.O. 1960,
c. 249, s. 37,
subs. 9,
amended

- (9) Where after the voters' list has been finally revised and the name of a person entitled to be entered thereon under this section by reason of being the wife or husband of a person rated or entitled to be rated for land as owner or tenant has been omitted therefrom, if the person rated or entitled to be rated for land as owner or tenant is entered on the last revised assessment roll or has been added to the assessment roll under section 54 of *The Assessment Act* and such wife or husband is not otherwise disqualified, the clerk shall issue a certificate (Form 10) authorizing the returning officer or proper deputy returning officer or proper poll clerk to enter the name of such wife or husband on the voters' list to entitle her or him to vote as if her or his name had been entered thereon before the list was revised.

Idem

R.S.O. 1960,
c. 23

6.—(1) Clause *c* of subsection 1 of section 48 of *The Municipal Act*, as amended by section 8 of *The Municipal Amendment Act, 1965*, is repealed and the following substituted therefor:

R.S.O. 1960,
c. 249, s. 48,
subs. 1,
cl. *c*,
re-enacted

- (c) a certificate of the treasurer or collector that there were, at the time of the opening of the nomination meeting, no unpaid taxes for any preceding year against the land in respect of which he is qualifying or a statutory declaration to the same effect or a statutory declaration that he is qualifying in respect of land of which he is a tenant where the taxes in respect of the land are, under the terms of tenancy, payable by the owner of the land and that the rental therefor is not overdue and unpaid at the time of the opening of the nomination meeting; and

R.S.O. 1960, c. 249, s. 48, subs. 1, cl. d (1965, c. 77, s. 8), re-enacted (2) Clause *d* of subsection 1 of the said section 48, as enacted by section 8 of *The Municipal Amendment Act, 1965*, is repealed and the following substituted therefor:

- (d) a certificate of the treasurer or collector that there were, at the time of the opening of the nomination meeting, no unpaid taxes against him in respect of an assessment for business or a statutory declaration to the same effect.

R.S.O. 1960, c. 249, s. 144, cl. g, amended 7.—(1) Clause *g* of section 144 of *The Municipal Act* is amended by striking out “elected” in the first line and inserting in lieu thereof “appointed”, so that the clause shall read as follows:

- (g) is appointed to fill a vacancy in the office of mayor, reeve or deputy reeve; or

R.S.O. 1960, c. 249, s. 144, cl. h, amended (2) Clause *h* of the said section 144 is amended by striking out “elected” in the first line and inserting in lieu thereof “appointed”, so that the clause shall read as follows:

- (h) is appointed to fill a vacancy in the board of control,

R.S.O. 1960, c. 249, s. 205, subs. 2, amended 8. Subsection 2 of section 205 of *The Municipal Act* is amended by striking out “elect” in the second line and inserting in lieu thereof “appoint”, so that the subsection shall read as follows:

Filling
vacancies

- (2) If a vacancy occurs in the office of controller, the council, at a meeting called for that purpose, shall appoint a person to fill the vacancy for the unexpired term of the member whose seat has become vacant.

SECTION 7. Section 144 provides that the seat of a member becomes vacant under the circumstances in clauses *g* and *h*. The appropriate sections now use the words "appointed by the council" instead of "elected by the council". The amendments are to bring clauses *g* and *h* in line with such wording.

SECTION 8. The amendment is to make this provision consistent with the provisions of section 150 respecting the filling of vacancies in the office of mayor or reeve.

SECTION 9—Subsections 1 and 2. This provision in its present location is stated to be a duty of the board of control whereas it is a power that may be exercised by the board of control and the duty is only to report. The amendments are merely for clarification.

Subsection 3. The subsection repealed is only to preserve the powers of a head of a department, which he possessed on the 7th day of April, 1896, and is now unnecessary.

SECTION 10. This section deals with boards of control in cities having a population of 45,000 or less. It has never been used since the original enactment of the section in 1933. In the meantime, new legislation was introduced in 1961-62 providing for boards of control for cities of not less than 45,000 and for local municipalities having a population of not less than 100,000. The section serves no useful purpose and is, therefore, repealed.

SECTION 11. This is a similar amendment to that made in *The Judicature Act* in 1966 in respect of salaried officers of the Crown that has similar application to salaried officers of municipalities.

SECTION 12. The amendment merely changes the name of *The Homes for the Aged Act* in accordance with the recent change in title.

SECTION 13. The amendments are to make it clear that a by-law under this section may provide for early levies in succeeding years as well as the year in which it is passed and that the by-law remains in force until repealed.

9.—(1) Clause *e* of subsection 1 of section 206 of *The Municipal Act* is repealed. R.S.O. 1960,
c. 249,
s. 206,
subs. 1, cl. *e*,
repealed

(2) The said section 206 is amended by adding thereto the following subsection: R.S.O. 1960,
c. 249,
s. 206,
amended

(1a) The board of control may dismiss or suspend any head of a department and shall forthwith report such dismissal or suspension to the council. Dismissal
of depart-
ment heads

(3) Subsection 18 of the said section 206 is repealed. R.S.O. 1960,
c. 249,
s. 206,
subs. 18,
repealed

10. Section 207 of *The Municipal Act*, as amended by section 30 of *The Municipal Amendment Act, 1961-62* and section 10 of *The Municipal Amendment Act, 1966*, is repealed. R.S.O. 1960,
c. 249,
s. 207,
repealed

11. Subsection 5 of section 238 of *The Municipal Act* is repealed and the following substituted therefor: R.S.O. 1960,
c. 249,
s. 238,
subs. 5,
re-enacted

(5) Notwithstanding any other Act, in any proceeding to which a municipality is a party, costs adjudged to the municipality shall not be disallowed or reduced merely because the solicitor or the counsel who earned such costs, or in respect of whose services the costs are charged, was a salaried officer of the municipality performing such services in the discharge of his duty and remunerated therefor by his salary, or for that or any other reason was not entitled to recover any costs from the municipality in respect of the services so rendered, and the costs recovered by or on behalf of the municipality in any such case shall be paid into the general funds of the municipality. Costs of
municipality
in any
proceeding

12. Clause *n* of subsection 2 of section 286 of *The Municipal Act* is repealed and the following substituted therefor: R.S.O. 1960,
c. 249,
s. 286,
subs. 2,
cl. *n*,
re-enacted

(*n*) agreements respecting homes under *The Homes for the Aged and Rest Homes Act*. R.S.O. 1960,
c. 174

13.—(1) Subsection 1 of section 294a of *The Municipal Act*, as enacted by section 11 of *The Municipal Amendment Act, 1960-61*, is repealed and the following substituted therefor: R.S.O. 1960,
c. 249,
s. 294a
(1960-61,
c. 59, s. 11),
subs. 1,
re-enacted

(1) Notwithstanding section 294, the council of every local municipality may by by-law passed before the adoption of the estimates in any year provide that in that year and in each succeeding year the council may, before the adoption of the estimates for that year, levy on the whole of the assessment for real property according to the last revised assessment Levy
authorized
before
estimates
adopted

roll a sum not exceeding 50 per cent of that which would be produced by applying to such assessment the total rate for all purposes levied in the preceding year on residential real property of public school supporters, and such by-law shall remain in force from year to year until it is repealed and any by-law repealing such by-law shall be effective only at the end of any year.

R.S.O. 1960,
c. 249,
s. 294a,
subs. 1a
(1966,
c. 93, s. 17,
subs. 1),
re-enacted

(2) Subsection 1a of the said section 294a, as enacted by subsection 1 of section 17 of *The Municipal Amendment Act, 1966*, is repealed and the following substituted therefor:

Business
assessment

(1a) Where the council of a local municipality has not provided for taking the assessment of business during the same year in which the rates of taxation thereon are to be levied under section 130 of *The Assessment Act*, the council, notwithstanding section 294, may by by-law passed before the adoption of the estimates in any year provide that in that year and in each succeeding year the council may, before the adoption of the estimates for the year, levy on the whole of the business assessment according to the last revised assessment roll a sum not exceeding 50 per cent of that which would be produced by applying to such assessment the total rate for all purposes levied in the preceding year on business assessment of public school supporters, and such by-law shall remain in force from year to year until it is repealed and any by-law repealing such by-law shall be effective only at the end of any year.

R.S.O. 1960,
c. 249,
s. 333,
amended

14. Section 333 of *The Municipal Act*, as amended by section 8 of *The Municipal Amendment Act, 1964*, is further amended by adding thereto the following subsection:

Lease

(1a) Without limiting the generality of this section, in subsection 1 "otherwise dispose of" shall be deemed to include and to have always included a lease.

R.S.O. 1960,
c. 249,
s. 377,
par. 11
(1962-63,
c. 87, s. 15,
subs. 1),
re-enacted

15.—(1) Paragraph 11 of section 377 of *The Municipal Act*, as re-enacted by subsection 1 of section 15 of *The Municipal Amendment Act, 1962-63*, is repealed and the following substituted therefor:

Officers
becoming
members of
associations
for
improving
technical
skill

11. For any of the elected or appointed officers of the corporation becoming members of any municipal union or association or any other association for extending and improving the technical skill of such officers in the discharge of their municipal duties,

SECTION 14. By reason of a court decision, some doubt has arisen as to the power of a municipality to lease land under its power to "otherwise dispose of land". The amendment is to make it clear that such power includes power to lease land.

SECTION 15—Subsection 1. Paragraph 11 is revised for the purpose of clarification.

Subsections 2 and 3. The requirement that sick leave credits be transferred from one municipality to another is eliminated and municipalities are authorized to provide for placing the earned credits of an employee formerly employed by another municipality or local board to the credit of the employee in their sick leave credit plans. As section 39 of *The Schools Administration Act* authorizes school boards to provide sick leave credit plans, school boards are excepted from clause *c*.

SECTION 16—Subsections 1, 2 and 3. The amendments permit municipalities to prohibit or regulate the keeping of reptiles and to restrict the number that may be kept.

and for paying the whole or part of the fees for such membership or for tuition of officers or employees enrolled in any course of instruction sponsored by such union or association, and for paying the expenses of such officers attending any meeting of such union or association or upon its business.

(2) Clause *b* of paragraph 60 of the said section 377, as amended by subsection 3 of section 22 of *The Municipal Amendment Act, 1966*, is repealed and the following substituted therefor:

R.S.O. 1960,
c. 249,
s. 377,
par. 60,
cl. *b*,
re-enacted

(b) A by-law passed under this paragraph may provide, upon such terms and conditions as may be prescribed, for placing to the credit of an employee formerly employed by another municipality or local board which had established a sick leave credit plan under this or any other general or special Act the whole or any part of the sick leave credits standing to the credit of the employee in the plan of the municipality or local board formerly employing the employee.

Allowing
of credits
on transfer
of
employment

(3) Clause *c*, as enacted by subsection 2 of section 14 of *The Municipal Amendment Act, 1960-61*, and clause *d*, as enacted by subsection 4 of section 22 of *The Municipal Amendment Act, 1966*, of paragraph 60 of the said section 377 are repealed and the following substituted therefor:

R.S.O. 1960,
c. 249,
s. 377,
par. 60, cl. *c*
(1960-61,
c. 59, s. 14,
subs. 2),
re-enacted;
cl. *d*,
(1966,
c. 93, s. 22,
subs. 4),
repealed

(c) Any local board, except a school board, may establish a plan of sick leave credit gratuities for employees or any class thereof, and the provisions of this paragraph apply *mutatis mutandis* thereto.

Local
boards

16.—(1) Paragraph 1 of subsection 1 of section 379 of *The Municipal Act* is amended by inserting after "foxes" in the second line "reptiles", so that the paragraph shall read as follows:

R.S.O. 1960,
c. 249,
s. 379,
subs. 1,
par. 1,
amended

1. For regulating the keeping of domestic fowl or pigeons or cattle, goats, swine, horses, rabbits, mink, foxes, reptiles or other animals, or kennels for the breeding or boarding of cats and dogs, within the municipality or defined areas thereof.

Regulating
the keeping
of animals,
etc.

(2) Paragraph 1*a* of subsection 1 of the said section 379, as enacted by subsection 1 of section 27 of *The Municipal Amendment Act, 1965*, is amended by inserting after "foxes" in the third line "reptiles", so that the paragraph shall read as follows:

R.S.O. 1960,
c. 249,
s. 379,
subs. 1,
par. 1*a*
(1965,
c. 77, s. 27,
subs. 1),
amended

Restricting
number of
animals that
may be kept

- 1a. For restricting the number of domestic fowl or pigeons or cattle, goats, swine, horses, rabbits, mink, foxes, reptiles or other animals that may be kept by any person within the municipality or defined areas thereof.

R.S.O. 1960,
c. 249,
s. 379,
subs. 1,
par. 2,
amended

- (3) Paragraph 2 of subsection 1 of the said section 379 is amended by inserting after "foxes" in the second line "reptiles", so that the paragraph shall read as follows:

Prohibiting
keeping of
animals, etc.

2. For prohibiting the keeping of domestic fowl or cattle, goats, swine, rabbits, mink, foxes, reptiles or other animals, except horses or mules, within the municipality or defined areas thereof.

R.S.O. 1960,
c. 249,
s. 379,
subs. 1,
par. 114,
re-enacted

- (4) Paragraph 114 of subsection 1 of the said section 379 is repealed and the following substituted therefor:

Noise

114. For prohibiting or regulating, within the municipality or within any defined area or areas thereof, the ringing of bells, the blowing of horns, shouting and unusual noises, or noises likely to disturb the inhabitants.

R.S.O. 1960,
c. 249,
s. 401,
par. 5,
re-enacted

17. Paragraph 5 of section 401 of *The Municipal Act* is repealed and the following substituted therefor:

Electrical
workers

5. For examining, licensing, regulating and governing electrical contractors and master electricians or for permitting them by reason of registration with the Electrical Contractors Association of Ontario or other qualification to carry on their trade without examination or licence, or both.

- (a) In this paragraph, "master electrician" means a person who is skilled in the planning, superintending and installing of wires, conduits, apparatus, fixtures or other appliances for the carrying or using of electricity for light, heat or power purposes, who is familiar with the laws, rules and regulations governing the same, who has a regular place of business in the municipality and who, himself, or by journeymen electricians in his employ, performs electrical work; and "journeyman electrician" means a person who has been issued a certificate of qualification in the trade of electrician by the Department of Labour.

Subsection 4. Paragraph 114 is revised to permit by-laws to be applicable within defined areas of a municipality and to refer to noises "likely to disturb" rather than "calculated to disturb".

SECTION 17. As journeymen electricians are now licensed by the Department of Labour, paragraph 5 is revised to exclude journeymen electricians from the municipal licensing provisions.

SECTION 18. At present, section 406a only provides for group accident insurance to indemnify members of council against death or injury. Clause *b* is new and provides for public liability and property damage insurance.

SECTION 19. At present, the members of the council of a county, village or township may be appointed as commissioners, superintendents or overseers. The amendment limits the section to members of council of a village or township having a population of 3,000 or less.

SECTION 20. This paragraph provides for temporary coverings to gain access to buildings used for purposes of clubs, restaurants, hotels and places of entertainment from the edge of the travelled portion of the road to the entrance to the building. At present, the section only provides for canopies that project over the sidewalks and does not permit the installation of covers with supporting posts and frames. The paragraph is revised to authorize municipalities to permit covers over the sidewalks and untravelled portions of a highway with supporting posts and frames.

- (b) The by-law does not apply to the employees of a public service commission or corporation.

18. Section 406a of *The Municipal Act*, as enacted by R.S.O. 1960, c. 249, s. 406a (1961-62, c. 86, s. 45), repealed and the following substituted therefor: re-enacted

406a. The council of a municipality may pass by-laws for Accident, etc., insurance re members of council R.S.O. 1960, c. 190 providing by contract with an insurer licensed under *The Insurance Act*,

- (a) group accident insurance to indemnify any member of council or his estate against loss in case he is accidentally killed or injured; and

- (b) group public liability and property damage insurance to indemnify any member of council or his estate in respect of loss or damage for which he has become liable by reason of injury to persons or property or in respect of loss or damage suffered by him by reason of injury to his own property,

while travelling on the business of the corporation or in the performance of his duties as a member of council either within or outside the municipality.

19. Section 409 of *The Municipal Act* is repealed and the following substituted therefor: R.S.O. 1960, c. 249, s. 409, re-enacted

409. A member of the council of a village or township having a population of 3,000 or less may be appointed commissioner, superintendent or overseer of any work, other than a highway, undertaken wholly or in part at the expense of the corporation, and may be paid the like remuneration for his services as if he were not a member of the council. Appointment of member of council as commissioner, etc.

20. Paragraph 3 of section 469 of *The Municipal Act*, as re-enacted by section 34 of *The Municipal Amendment Act, 1966*, is repealed and the following substituted therefor: R.S.O. 1960, c. 249, s. 469, par. 3 (1966, c. 93, s. 34), re-enacted

3. For permitting the owners of land to make, maintain and use areas under and openings to them in the highways and sidewalks and for permitting the owners or lessees of land abutting on one side of a highway to construct, maintain and use a bridge or other structure over, across or under the highway for the purpose of access to land on the other side of the highway, which any such owner or lessee owns or Use of highways by owners and lessees of abutting lands

leases or in respect of which he has a licence of occupation, and for permitting the owners of land to maintain and use signs and other advertising devices that project over the sidewalks, movable receptacles containing plants, shrubs or trees over or upon the sidewalks and canopies that project over the sidewalks, and for permitting the owners or lessees of land to make, maintain and use over the sidewalks and untravelled portions of the highway covers of cloth, rubber, plastic or similar material with suitable frames therefor at a height of not less than eight feet above the highway together with posts for the support of such cover and frame, and for permitting the owners or lessees of land to install, maintain and use heating devices in, under, over or upon the sidewalks, and for prescribing the terms and conditions upon which the same shall be made, constructed, installed, maintained and used and for making such annual or other charge for the privilege conferred by the by-law as the council may deem reasonable, and for providing that, upon the termination of such privilege, the highway shall be restored to its former condition at the expense of the owner or lessee of the land, to which the privilege is appurtenant, by filling in the area or opening, removing the bridge, structure, sign or other advertising device, receptacle, canopy, cover, frame and posts or heating device or otherwise as may be required by the by-law.

Charge

- (a) Such annual or other charge and any expense incurred by the corporation in restoring the highway to its former condition is payable, and payment of it may be enforced in like manner as taxes are payable, and payment of them may be enforced.

**Liability
of corpora-
tion for
damages**

- (b) The corporation is liable for any want of repair of the highway that may result from the construction, installation, maintenance and use of any such area or opening, bridge or structure, sign or advertising device, receptacle, canopy, cover, frame and posts or heating device, but is entitled to the remedy over provided for by section 450 against the person by whose act or omission the want of repair is caused.

R.S.O. 1960,
c. 249,
s. 522,
subs. 8,
re-enacted

21. Subsection 8 of section 522 of *The Municipal Act* is repealed and the following substituted therefor:

SECTION 21. Under sections 93a and 104 of *The Assessment Act*, the county assessment commissioner and the district assessor are assessors for every local municipality in the county or district. Subsection 8 is revised to remove an apparent conflict between this subsection and the provisions of *The Assessment Act*.

SECTION 22. Under section 11 of *The Municipal Act*, an improvement district having a population of not less than 500 may apply to the Municipal Board to become a village or, having a population of not less than 1,000, may apply to the Municipal Board to become a township.

- (8) The board shall appoint a secretary-treasurer who ^{Secretary-treasurer} may be a member of the board, who shall hold office during pleasure and, with respect to the improvement district, has the powers and shall perform the duties of,

- (a) the clerk, treasurer and collector of a municipality;
- (b) the assessor of a municipality, except where a county assessment commissioner or district assessor has been appointed for the county or district in which the improvement district is situated; and
- (c) the secretary and treasurer of every local board of which the members are the members of the board of trustees.

22. Notwithstanding that the improvement districts of Dorion, Sioux Narrows and Bicroft do not have the population required for the purpose of subsection 1 or 2 of section 11 of *The Municipal Act*, an application may be made under such subsection 1 or 2 by any of such improvement districts or by the Minister of Municipal Affairs when authorized by the Lieutenant Governor in Council for the erection of the improvement district into a village or a township. ^{Authority to apply to erect certain improvement districts into a village or township R.S.O. 1960, c. 249}

23.—(1) This Act, except section 19, comes into force on the day it receives Royal Assent. ^{Commencement}

(2) Section 19 comes into force on the 1st day of January, 1968. ^{Idem}

24. This Act may be cited as *The Municipal Amendment Act, 1967*. ^{Short title}

An Act to amend The Municipal Act

1st Reading

May 8th, 1967

2nd Reading

May 26th, 1967

3rd Reading

MR. SPOONER

*(Reprinted as amended by the Committee
on Legal Bills and Municipal Affairs)*

BILL 111

5TH SESSION, 27TH LEGISLATURE, ONTARIO
15-16 ELIZABETH II, 1967

An Act to amend The Municipal Act

MR. SPOONER

(Reprinted as amended by the Committee of the Whole House)

R.S.O. 1960,
c. 249, s. 19,
subs. 1,
amended

2. Subsection 1 of section 19 of *The Municipal Act* is amended by striking out "for all purposes stands in the place and stead of the annexed or former municipality or municipalities" in the thirteenth and fourteenth lines and inserting in lieu thereof "and its local boards for all purposes stand in the place and stead of the annexed or former municipality or municipalities and its or their local boards", so that the subsection shall read as follows:

Assets, etc.,
on annexa-
tions, amal-
gamations,
erections

(1) Where,

- (a) the whole of a municipality is annexed to another municipality;
- (b) two or more municipalities are amalgamated;
- (c) an improvement district is erected into a village, township or town;
- (d) a village is erected into a town;
- (e) a village, town or township is erected into a city,

all the assets and liabilities of the annexed or former municipality or municipalities and its or their local boards are assets and liabilities of the annexing or new municipality and its local boards, and the annexing or new municipality and its local boards for all purposes stand in the place and stead of the annexed or former municipality or municipalities and its or their local boards.

R.S.O. 1960,
c. 249, s. 32
(1966,
c. 93, s. 5),
subs. 3,
amended

3. Subsection 3 of section 32 of *The Municipal Act*, as re-enacted by section 5 of *The Municipal Amendment Act, 1966*, is amended by striking out "mayor" in the third line and inserting in lieu thereof "reeve", so that the subsection shall read as follows:

Election
by wards

- (3) If the village or township has been divided into wards, the council may provide that the council shall consist of a reeve and one councillor for each ward and the remaining councillors to complete the full number of four, six, seven or nine, as the case may be, to be elected by general vote.

R.S.O. 1960,
c. 249, s. 35,
subs. 1,
cl. m,
amended

4.—(1) Clause *m* of subsection 1 of section 35 of *The Municipal Act* is amended by inserting after "board" in the second line "whose term of office has at least two months to run after the day on which the nomination meeting for a new election is to be held", so that the clause shall read as follows:

SECTION 2. The subsection as it now reads provides for the transfer of assets and liabilities of the annexed or former municipality or municipalities and its or their local boards to the annexing or new municipality and its local boards but then goes on to state that the annexing or new municipality stands in the place and stead of the former or annexed municipality or municipalities but omits any mention of the local boards of the annexing or new municipality standing in the place and stead of the local boards of the former or annexed municipality or municipalities. The amendment is to correct this omission.

SECTION 3. The amendment is to correct an error in subsection 3.

SECTION 4—Subsection 1. The amendment provides that a school trustee need not resign to qualify for municipal office if his term of office has less than two months to run before the opening of the nomination meeting.

Subsection 2. The amendment provides that a person is not disqualified as a member of council merely because he owns land in a re-development area that is acquired by the municipality.

SECTION 5. In this subsection, "may" has been interpreted as "shall" and is changed accordingly.

SECTION 6. Clauses *c* and *d* are revised for the purpose of clarification.

- (m) a member of a board of education or of a public, separate or high school board, whose term of office has at least two months to run after the day on which the nomination meeting for a new election is to be held, unless before the opening of the nomination meeting he has filed his resignation with the secretary of the board.

(2) Clause *l* of subsection 3 of the said section 35, as enacted by subsection 4 of section 3 of *The Municipal Amendment Act, 1961-62*, is repealed and the following substituted therefor:

R.S.O. 1960,
c. 249, s. 35,
subs. 3,
cl. *l*
(1961-62,
c. 86, s. 3,
subs. 4),
re-enacted

- (*l*) of his having entered into an agreement with the corporation in respect of the acquisition of land by the corporation for a road-widening or curve-adjustment or in a redevelopment area designated by the council with the approval of the Minister under subsection 2 of section 20 of *The Planning Act* or of his having any claim or proceeding against the corporation in respect of such acquisition of land.

R.S.O. 1960,
c. 296

5. Subsection 9 of section 37 of *The Municipal Act* is amended by striking out "may" in the ninth line and inserting in lieu thereof "shall", so that the subsection shall read as follows:

R.S.O. 1960,
c. 249, s. 37,
subs. 9,
amended

- (9) Where after the voters' list has been finally revised and the name of a person entitled to be entered thereon under this section by reason of being the wife or husband of a person rated or entitled to be rated for land as owner or tenant has been omitted therefrom, if the person rated or entitled to be rated for land as owner or tenant is entered on the last revised assessment roll or has been added to the assessment roll under section 54 of *The Assessment Act* and such wife or husband is not otherwise disqualified, the clerk shall issue a certificate (Form 10) authorizing the returning officer or proper deputy returning officer or proper poll clerk to enter the name of such wife or husband on the voters' list to entitle her or him to vote as if her or his name had been entered thereon before the list was revised.

Idem

R.S.O. 1960,
c. 23

6.—(1) Clause *c* of subsection 1 of section 48 of *The Municipal Act*, as amended by section 8 of *The Municipal Amendment Act, 1965*, is repealed and the following substituted therefor:

R.S.O. 1960,
c. 249, s. 48,
subs. 1,
cl. *c*,
re-enacted

- (c) a certificate of the treasurer or collector that there were, at the time of the opening of the nomination meeting, no unpaid taxes for any preceding year against the land in respect of which he is qualifying or a statutory declaration to the same effect or a statutory declaration that he is qualifying in respect of land of which he is a tenant where the taxes in respect of the land are, under the terms of tenancy, payable by the owner of the land and that the rental therefor is not overdue and unpaid at the time of the opening of the nomination meeting; and

R.S.O. 1960, c. 249, s. 48, subs. 1, cl. d (1965, c. 77, s. 8), re-enacted (2) Clause *d* of subsection 1 of the said section 48, as enacted by section 8 of *The Municipal Amendment Act, 1965*, is repealed and the following substituted therefor:

- (d) a certificate of the treasurer or collector that there were, at the time of the opening of the nomination meeting, no unpaid taxes against him in respect of an assessment for business or a statutory declaration to the same effect.

R.S.O. 1960, c. 249, s. 144, cl. g, amended 7.—(1) Clause *g* of section 144 of *The Municipal Act* is amended by striking out “elected” in the first line and inserting in lieu thereof “appointed”, so that the clause shall read as follows:

- (g) is appointed to fill a vacancy in the office of mayor, reeve or deputy reeve; or

R.S.O. 1960, c. 249, s. 144, cl. h, amended (2) Clause *h* of the said section 144 is amended by striking out “elected” in the first line and inserting in lieu thereof “appointed”, so that the clause shall read as follows:

- (h) is appointed to fill a vacancy in the board of control,

R.S.O. 1960, c. 249, s. 205, subs. 2, amended 8. Subsection 2 of section 205 of *The Municipal Act* is amended by striking out “elect” in the second line and inserting in lieu thereof “appoint”, so that the subsection shall read as follows:

Filling vacancies

- (2) If a vacancy occurs in the office of controller, the council, at a meeting called for that purpose, shall appoint a person to fill the vacancy for the unexpired term of the member whose seat has become vacant.

SECTION 7. Section 144 provides that the seat of a member becomes vacant under the circumstances in clauses *g* and *h*. The appropriate sections now use the words "appointed by the council" instead of "elected by the council". The amendments are to bring clauses *g* and *h* in line with such wording.

SECTION 8. The amendment is to make this provision consistent with the provisions of section 150 respecting the filling of vacancies in the office of mayor or reeve.

SECTION 9—Subsections 1 and 2. This provision in its present location is stated to be a duty of the board of control whereas it is a power that may be exercised by the board of control and the duty is only to report. The amendments are merely for clarification.

Subsection 3. The subsection repealed is only to preserve the powers of a head of a department, which he possessed on the 7th day of April, 1896, and is now unnecessary.

SECTION 10. This section deals with boards of control in cities having a population of 45,000 or less. It has never been used since the original enactment of the section in 1933. In the meantime, new legislation was introduced in 1961-62 providing for boards of control for cities of not less than 45,000 and for local municipalities having a population of not less than 100,000. The section serves no useful purpose and is, therefore, repealed.

SECTION 11. This is a similar amendment to that made in *The Judicature Act* in 1966 in respect of salaried officers of the Crown that has similar application to salaried officers of municipalities.

SECTION 12. The amendment merely changes the name of *The Homes for the Aged Act* in accordance with the recent change in title.

SECTION 13. The amendments are to make it clear that a by-law under this section may provide for early levies in succeeding years as well as the year in which it is passed and that the by-law remains in force until repealed.

9.—(1) Clause *e* of subsection 1 of section 206 of *The Municipal Act* is repealed. R.S.O. 1960,
c. 249,
s. 206,
subs. 1, cl. *e*,
repealed

(2) The said section 206 is amended by adding thereto the following subsection: R.S.O. 1960,
c. 249,
s. 206,
amended

(1a) The board of control may dismiss or suspend any head of a department and shall forthwith report such dismissal or suspension to the council. Dismissal
of depart-
ment heads

(3) Subsection 18 of the said section 206 is repealed. R.S.O. 1960,
c. 249,
s. 206,
subs. 18,
repealed

10. Section 207 of *The Municipal Act*, as amended by section 30 of *The Municipal Amendment Act, 1961-62* and section 10 of *The Municipal Amendment Act, 1966*, is repealed. R.S.O. 1960,
c. 249,
s. 207,
repealed

11. Subsection 5 of section 238 of *The Municipal Act* is repealed and the following substituted therefor: R.S.O. 1960
c. 249,
s. 238,
subs. 5,
re-enacted

(5) Notwithstanding any other Act, in any proceeding to which a municipality is a party, costs adjudged to the municipality shall not be disallowed or reduced merely because the solicitor or the counsel who earned such costs, or in respect of whose services the costs are charged, was a salaried officer of the municipality performing such services in the discharge of his duty and remunerated therefor by his salary, or for that or any other reason was not entitled to recover any costs from the municipality in respect of the services so rendered, and the costs recovered by or on behalf of the municipality in any such case shall be paid into the general funds of the municipality. Costs of
municipality
in any
proceeding

12. Clause *n* of subsection 2 of section 286 of *The Municipal Act* is repealed and the following substituted therefor: R.S.O. 1960,
c. 249,
s. 286,
subs. 2,
cl. *n*,
re-enacted

(*n*) agreements respecting homes under *The Homes for the Aged and Rest Homes Act*. R.S.O. 1960,
c. 174

13.—(1) Subsection 1 of section 294a of *The Municipal Act*, as enacted by section 11 of *The Municipal Amendment Act, 1960-61*, is repealed and the following substituted therefor: R.S.O. 1960,
c. 249,
s. 294a
(1960-61,
c. 59, s. 11),
subs. 1,
re-enacted

(1) Notwithstanding section 294, the council of every local municipality may by by-law passed before the adoption of the estimates in any year provide that in that year and in each succeeding year the council may, before the adoption of the estimates for that year, levy on the whole of the assessment for real property according to the last revised assessment Levy
authorized
before
estimates
adopted

roll a sum not exceeding 50 per cent of that which would be produced by applying to such assessment the total rate for all purposes levied in the preceding year on residential real property of public school supporters, and such by-law shall remain in force from year to year until it is repealed and any by-law repealing such by-law shall be effective only at the end of any year.

R.S.O. 1960,
c. 249,
s. 294a,
subs. 1a
(1966,
c. 93, s. 17,
subs. 1),
re-enacted

(2) Subsection 1a of the said section 294a, as enacted by subsection 1 of section 17 of *The Municipal Amendment Act, 1966*, is repealed and the following substituted therefor:

Business
assessment

(1a) Where the council of a local municipality has not provided for taking the assessment of business during the same year in which the rates of taxation thereon are to be levied under section 130 of *The Assessment Act*, the council, notwithstanding section 294, may by by-law passed before the adoption of the estimates in any year provide that in that year and in each succeeding year the council may, before the adoption of the estimates for the year, levy on the whole of the business assessment according to the last revised assessment roll a sum not exceeding 50 per cent of that which would be produced by applying to such assessment the total rate for all purposes levied in the preceding year on business assessment of public school supporters, and such by-law shall remain in force from year to year until it is repealed and any by-law repealing such by-law shall be effective only at the end of any year.

R.S.O. 1960,
c. 23

R.S.O. 1960,
c. 249,
s. 333,
amended

14. Section 333 of *The Municipal Act*, as amended by section 8 of *The Municipal Amendment Act, 1964*, is further amended by adding thereto the following subsection:

Lease

(1a) Without limiting the generality of this section, in subsection 1 "otherwise dispose of" shall be deemed to include and to have always included a lease.

R.S.O. 1960,
c. 249,
s. 377,
par. 11
(1962-63,
c. 87, s. 15,
subs. 1),
re-enacted

15.—(1) Paragraph 11 of section 377 of *The Municipal Act*, as re-enacted by subsection 1 of section 15 of *The Municipal Amendment Act, 1962-63*, is repealed and the following substituted therefor:

Officers
becoming
members of
associations
for
improving
technical
skill

11. For any of the elected or appointed officers of the corporation becoming members of any municipal union or association or any other association for extending and improving the technical skill of such officers in the discharge of their municipal duties,

SECTION 14. By reason of a court decision, some doubt has arisen as to the power of a municipality to lease land under its power to "otherwise dispose of land". The amendment is to make it clear that such power includes power to lease land.

SECTION 15—Subsection 1. Paragraph 11 is revised for the purpose of clarification.

Subsections 2 and 3. The requirement that sick leave credits be transferred from one municipality to another is eliminated and municipalities are authorized to provide for placing the earned credits of an employee formerly employed by another municipality or local board to the credit of the employee in their sick leave credit plans. As section 39 of *The Schools Administration Act* authorizes school boards to provide sick leave credit plans, school boards are excepted from clause *c*.

SECTION 16—Subsections 1, 2 and 3. The amendments permit municipalities to prohibit or regulate the keeping of reptiles and to restrict the number that may be kept.

and for paying the whole or part of the fees for such membership or for tuition of officers or employees enrolled in any course of instruction sponsored by such union or association, and for paying the expenses of such officers attending any meeting of such union or association or upon its business.

(2) Clause *b* of paragraph 60 of the said section 377, as amended by subsection 3 of section 22 of *The Municipal Amendment Act, 1966*, is repealed and the following substituted therefor:

R.S.O. 1960,
c. 249,
s. 377,
par. 60,
cl. *b*,
re-enacted

(*b*) A by-law passed under this paragraph may provide, upon such terms and conditions as may be prescribed, for placing to the credit of an employee formerly employed by another municipality or local board which had established a sick leave credit plan under this or any other general or special Act the whole or any part of the sick leave credits standing to the credit of the employee in the plan of the municipality or local board formerly employing the employee.

Allowing
of credits
on transfer
of
employment

(3) Clause *c*, as enacted by subsection 2 of section 14 of *The Municipal Amendment Act, 1960-61*, and clause *d*, as enacted by subsection 4 of section 22 of *The Municipal Amendment Act, 1966*, of paragraph 60 of the said section 377 are repealed and the following substituted therefor:

R.S.O. 1960,
c. 249,
s. 377,
par. 60, cl. *c*
(1960-61,
c. 59, s. 14,
subs. 2),
re-enacted;
cl. *d*,
(1966,
c. 93, s. 22,
subs. 4),
repealed

(*c*) Any local board, except a school board, may establish a plan of sick leave credit gratuities for employees or any class thereof, and the provisions of this paragraph apply *mutatis mutandis* thereto.

Local
boards

16.—(1) Paragraph 1 of subsection 1 of section 379 of *The Municipal Act* is amended by inserting after “foxes” in the second line “reptiles”, so that the paragraph shall read as follows:

R.S.O. 1960,
c. 249,
s. 379,
subs. 1,
par. 1,
amended

1. For regulating the keeping of domestic fowl or pigeons or cattle, goats, swine, horses, rabbits, mink, foxes, reptiles or other animals, or kennels for the breeding or boarding of cats and dogs, within the municipality or defined areas thereof.

Regulating
the keeping
of animals,
etc.

(2) Paragraph 1*a* of subsection 1 of the said section 379, as enacted by subsection 1 of section 27 of *The Municipal Amendment Act, 1965*, is amended by inserting after “foxes” in the third line “reptiles”, so that the paragraph shall read as follows:

R.S.O. 1960,
c. 249,
s. 379,
subs. 1,
par. 1*a*
(1965,
c. 77, s. 27,
subs. 1),
amended

Restricting
number of
animals that
may be kept

- 1a. For restricting the number of domestic fowl or pigeons or cattle, goats, swine, horses, rabbits, mink, foxes, reptiles or other animals that may be kept by any person within the municipality or defined areas thereof.

R.S.O. 1960,
c. 249,
s. 379,
subs. 1,
par. 2,
amended

- (3) Paragraph 2 of subsection 1 of the said section 379 is amended by inserting after "foxes" in the second line "reptiles", so that the paragraph shall read as follows:

Prohibiting
keeping of
animals, etc.

2. For prohibiting the keeping of domestic fowl or cattle, goats, swine, rabbits, mink, foxes, reptiles or other animals, except horses or mules, within the municipality or defined areas thereof.

R.S.O. 1960,
c. 249,
s. 379,
subs. 1,
par. 114,
re-enacted

- (4) Paragraph 114 of subsection 1 of the said section 379 is repealed and the following substituted therefor:

Noise

114. For prohibiting or regulating, within the municipality or within any defined area or areas thereof, the ringing of bells, the blowing of horns, shouting and unusual noises, or noises likely to disturb the inhabitants.

R.S.O. 1960,
c. 249,
s. 401,
par. 5,
re-enacted

17. Paragraph 5 of section 401 of *The Municipal Act* is repealed and the following substituted therefor:

Electrical
workers

5. For examining, licensing, regulating and governing electrical contractors and master electricians or for permitting them by reason of registration with the Electrical Contractors Association of Ontario or other qualification to carry on their trade without examination or licence, or both.

- (a) In this paragraph, "master electrician" means a person who is skilled in the planning, superintending and installing of wires, conduits, apparatus, fixtures or other appliances for the carrying or using of electricity for light, heat or power purposes, who is familiar with the laws, rules and regulations governing the same, who has a regular place of business in the municipality and who, himself, or by journeymen electricians in his employ, performs electrical work; and "journeyman electrician" means a person who has been issued a certificate of qualification in the trade of electrician by the Department of Labour.

Subsection 4. Paragraph 114 is revised to permit by-laws to be applicable within defined areas of a municipality and to refer to noises "likely to disturb" rather than "calculated to disturb".

SECTION 17. As journeymen electricians are now licensed by the Department of Labour, paragraph 5 is revised to exclude journeymen electricians from the municipal licensing provisions.

SECTION 18. At present, section 406a only provides for group accident insurance to indemnify members of council against death or injury. Clause *b* is new and provides for public liability and property damage insurance.

SECTION 19. At present, the members of the council of a county, village or township may be appointed as commissioners, superintendents or overseers. The amendment limits the section to members of council of a village or township having a population of 3,000 or less.

SECTION 20. This paragraph provides for temporary coverings to gain access to buildings used for purposes of clubs, restaurants, hotels and places of entertainment from the edge of the travelled portion of the road to the entrance to the building. At present, the section only provides for canopies that project over the sidewalks and does not permit the installation of covers with supporting posts and frames. The paragraph is revised to authorize municipalities to permit covers over the sidewalks and untravelled portions of a highway with supporting posts and frames.

- (b) The by-law does not apply to the employees of a public service commission or corporation.

18. Section 406a of *The Municipal Act*, as enacted by R.S.O. 1960, c. 249, s. 406a (1961-62, c. 86, s. 45), repealed and the following substituted therefor: re-enacted

406a. The council of a municipality may pass by-laws for providing by contract with an insurer licensed under *The Insurance Act*, Accident, etc., insurance re members of council R.S.O. 1960, c. 190

- (a) group accident insurance to indemnify any member of council or his estate against loss in case he is accidentally killed or injured; and

- (b) group public liability and property damage insurance to indemnify any member of council or his estate in respect of loss or damage for which he has become liable by reason of injury to persons or property or in respect of loss or damage suffered by him by reason of injury to his own property,

while travelling on the business of the corporation or in the performance of his duties as a member of council either within or outside the municipality.

19. Section 409 of *The Municipal Act* is repealed and the following substituted therefor: R.S.O. 1960, c. 249, s. 409, re-enacted

409. A member of the council of a village or township having a population of 3,000 or less may be appointed commissioner, superintendent or overseer of any work, other than a highway, undertaken wholly or in part at the expense of the corporation, and may be paid the like remuneration for his services as if he were not a member of the council. Appointment of member of council as commissioner, etc.

20. Paragraph 3 of section 469 of *The Municipal Act*, as re-enacted by section 34 of *The Municipal Amendment Act, 1966*, is repealed and the following substituted therefor: R.S.O. 1960, c. 249, s. 469, par. 3 (1966, c. 93, s. 34), re-enacted

3. For permitting the owners of land to make, maintain and use areas under and openings to them in the highways and sidewalks and for permitting the owners or lessees of land abutting on one side of a highway to construct, maintain and use a bridge or other structure over, across or under the highway for the purpose of access to land on the other side of the highway, which any such owner or lessee owns or Use of highways by owners and lessees of abutting lands

leases or in respect of which he has a licence of occupation, and for permitting the owners of land to maintain and use signs and other advertising devices that project over the sidewalks, movable receptacles containing plants, shrubs or trees over or upon the sidewalks and canopies that project over the sidewalks, and for permitting the owners or lessees of land to make, maintain and use over the sidewalks and untravelled portions of the highway covers of cloth, rubber, plastic or similar material with suitable frames therefor at a height of not less than eight feet above the highway together with posts for the support of such cover and frame, and for permitting the owners or lessees of land to install, maintain and use heating devices in, under, over or upon the sidewalks, and for prescribing the terms and conditions upon which the same shall be made, constructed, installed, maintained and used and for making such annual or other charge for the privilege conferred by the by-law as the council may deem reasonable, and for providing that, upon the termination of such privilege, the highway shall be restored to its former condition at the expense of the owner or lessee of the land, to which the privilege is appurtenant, by filling in the area or opening, removing the bridge, structure, sign or other advertising device, receptacle, canopy, cover, frame and posts or heating device or otherwise as may be required by the by-law.

Charge

- (a) Such annual or other charge and any expense incurred by the corporation in restoring the highway to its former condition is payable, and payment of it may be enforced in like manner as taxes are payable, and payment of them may be enforced.

**Liability
of corpora-
tion for
damages**

- (b) The corporation is liable for any want of repair of the highway that may result from the construction, installation, maintenance and use of any such area or opening, bridge or structure, sign or advertising device, receptacle, canopy, cover, frame and posts or heating device, but is entitled to the remedy over provided for by section 450 against the person by whose act or omission the want of repair is caused.

R.S.O. 1960,
c. 249,
s. 522,
subs. 8,
re-enacted

21. Subsection 8 of section 522 of *The Municipal Act* is repealed and the following substituted therefor:

SECTION 21. Under sections 93a and 104 of *The Assessment Act*, the county assessment commissioner and the district assessor are assessors for every local municipality in the county or district. Subsection 8 is revised to remove an apparent conflict between this subsection and the provisions of *The Assessment Act*.

An Act to amend The Municipal Act

1st Reading

May 8th, 1967

2nd Reading

May 26th, 1967

3rd Reading

MR. SPOONER

*(Reprinted as amended by the
Committee of the Whole House)*

BILL 111

5TH SESSION, 27TH LEGISLATURE, ONTARIO
15-16 ELIZABETH II, 1967

An Act to amend The Municipal Act

MR. SPOONER

BILL 111

1967

An Act to amend The Municipal Act

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1.—(1) Subsection 10 of section 14 of *The Municipal Act*, as amended by section 3 of *The Municipal Amendment Act, 1965* and section 2 of *The Municipal Amendment Act, 1966*, is further amended by adding thereto the following clause:

R.S.O. 1960,
c. 249, s. 14,
subs. 10,
amended

(ja) where by reason of annexation or amalgamation orders made under this section within any three-year period a county will be deprived of not less than a total of 15 per cent of what its equalized assessment would have been except for such annexations or amalgamations, and no order has been made under clause j, authorize and direct the payment to such county by the annexing or amalgamated municipality, to relieve such county from any undue burden by reason of the loss of such assessment, of compensating grants during a period of not more than five years after the effective date of the last annexation or amalgamation in such amounts and manner as may be agreed upon between the county and the annexing or amalgamated municipality and approved by the Municipal Board or, failing agreement, as the Municipal Board may deem equitable after a public hearing in each case.

(2) Subsection 22 of the said section 14 is repealed and the following substituted therefor:

R.S.O. 1960,
c. 249, s. 14,
subs. 22,
re-enacted

(22) Where part of a local municipality becomes part of a local municipality in another county or territorial district, it thereafter forms part of that county or territorial district except for the purpose of representation in the Assembly.

Adding
parts to
municipality
in another
county or
territorial
district

R.S.O. 1960,
c. 249, s. 19,
subs. 1,
amended

2. Subsection 1 of section 19 of *The Municipal Act* is amended by striking out "for all purposes stands in the place and stead of the annexed or former municipality or municipalities" in the thirteenth and fourteenth lines and inserting in lieu thereof "and its local boards for all purposes stand in the place and stead of the annexed or former municipality or municipalities and its or their local boards", so that the subsection shall read as follows:

Assets, etc.,
on annexa-
tions, amal-
gamations,
erections

(1) Where,

- (a) the whole of a municipality is annexed to another municipality;
- (b) two or more municipalities are amalgamated;
- (c) an improvement district is erected into a village, township or town;
- (d) a village is erected into a town;
- (e) a village, town or township is erected into a city,

all the assets and liabilities of the annexed or former municipality or municipalities and its or their local boards are assets and liabilities of the annexing or new municipality and its local boards, and the annexing or new municipality and its local boards for all purposes stand in the place and stead of the annexed or former municipality or municipalities and its or their local boards.

R.S.O. 1960,
c. 249, s. 32
(1966,
c. 93, s. 5),
subs. 3,
amended

3. Subsection 3 of section 32 of *The Municipal Act*, as re-enacted by section 5 of *The Municipal Amendment Act, 1966*, is amended by striking out "mayor" in the third line and inserting in lieu thereof "reeve", so that the subsection shall read as follows:

Election
by wards

- (3) If the village or township has been divided into wards, the council may provide that the council shall consist of a reeve and one councillor for each ward and the remaining councillors to complete the full number of four, six, seven or nine, as the case may be, to be elected by general vote.

R.S.O. 1960,
c. 249, s. 35,
subs. 1,
cl. m,
amended

4.—(1) Clause *m* of subsection 1 of section 35 of *The Municipal Act* is amended by inserting after "board" in the second line "whose term of office has at least two months to run after the day on which the nomination meeting for a new election is to be held", so that the clause shall read as follows:

- (m) a member of a board of education or of a public, separate or high school board, whose term of office has at least two months to run after the day on which the nomination meeting for a new election is to be held, unless before the opening of the nomination meeting he has filed his resignation with the secretary of the board.

(2) Clause *l* of subsection 3 of the said section 35, as enacted by subsection 4 of section 3 of *The Municipal Amendment Act, 1961-62*, is repealed and the following substituted therefor:

R.S.O. 1960,
c. 249, s. 35,
subs. 3,
cl. *l*
(1961-62,
c. 86, s. 3,
subs. 4),
re-enacted

- (*l*) of his having entered into an agreement with the corporation in respect of the acquisition of land by the corporation for a road-widening or curve-adjustment or in a redevelopment area designated by the council with the approval of the Minister under subsection 2 of section 20 of *The Planning Act* or of his having any claim or proceeding against the corporation in respect of such acquisition of land.

R.S.O. 1960,
c. 296

5. Subsection 9 of section 37 of *The Municipal Act* is amended by striking out "may" in the ninth line and inserting in lieu thereof "shall", so that the subsection shall read as follows:

R.S.O. 1960,
c. 249, s. 37,
subs. 9,
amended

- (9) Where after the voters' list has been finally revised and the name of a person entitled to be entered thereon under this section by reason of being the wife or husband of a person rated or entitled to be rated for land as owner or tenant has been omitted therefrom, if the person rated or entitled to be rated for land as owner or tenant is entered on the last revised assessment roll or has been added to the assessment roll under section 54 of *The Assessment Act* and such wife or husband is not otherwise disqualified, the clerk shall issue a certificate (Form 10) authorizing the returning officer or proper deputy returning officer or proper poll clerk to enter the name of such wife or husband on the voters' list to entitle her or him to vote as if her or his name had been entered thereon before the list was revised.

Idem

R.S.O. 1960,
c. 23

6.—(1) Clause *c* of subsection 1 of section 48 of *The Municipal Act*, as amended by section 8 of *The Municipal Amendment Act, 1965*, is repealed and the following substituted therefor:

R.S.O. 1960,
c. 249, s. 48,
subs. 1,
cl. *c*,
re-enacted

- (c) a certificate of the treasurer or collector that there were, at the time of the opening of the nomination meeting, no unpaid taxes for any preceding year against the land in respect of which he is qualifying or a statutory declaration to the same effect or a statutory declaration that he is qualifying in respect of land of which he is a tenant where the taxes in respect of the land are, under the terms of tenancy, payable by the owner of the land and that the rental therefor is not overdue and unpaid at the time of the opening of the nomination meeting; and

R.S.O. 1960,
c. 249, s. 48,
subs. 1, cl. d
(1965,
c. 77, s. 8),
re-enacted

- (2) Clause *d* of subsection 1 of the said section 48, as enacted by section 8 of *The Municipal Amendment Act, 1965*, is repealed and the following substituted therefor:

- (d) a certificate of the treasurer or collector that there were, at the time of the opening of the nomination meeting, no unpaid taxes against him in respect of an assessment for business or a statutory declaration to the same effect.

R.S.O. 1960,
c. 249,
s. 144, cl. g,
amended

- 7.—(1) Clause *g* of section 144 of *The Municipal Act* is amended by striking out “elected” in the first line and inserting in lieu thereof “appointed”, so that the clause shall read as follows:

- (g) is appointed to fill a vacancy in the office of mayor, reeve or deputy reeve; or

R.S.O. 1960,
c. 249,
s. 144, cl. h,
amended

- (2) Clause *h* of the said section 144 is amended by striking out “elected” in the first line and inserting in lieu thereof “appointed”, so that the clause shall read as follows:

- (h) is appointed to fill a vacancy in the board of control,

R.S.O. 1960,
c. 249,
s. 205,
subs. 2,
amended

8. Subsection 2 of section 205 of *The Municipal Act* is amended by striking out “elect” in the second line and inserting in lieu thereof “appoint”, so that the subsection shall read as follows:

Filling
vacancies

- (2) If a vacancy occurs in the office of controller, the council, at a meeting called for that purpose, shall appoint a person to fill the vacancy for the unexpired term of the member whose seat has become vacant.

9.—(1) Clause *e* of subsection 1 of section 206 of *The Municipal Act* is repealed. R.S.O. 1960,
c. 249,
s. 206,
subs. 1, cl. *e*,
repealed

(2) The said section 206 is amended by adding thereto the following subsection: R.S.O. 1960,
c. 249,
s. 206,
amended

(1a) The board of control may dismiss or suspend any head of a department and shall forthwith report such dismissal or suspension to the council. Dismissal
of depart-
ment heads

(3) Subsection 18 of the said section 206 is repealed. R.S.O. 1960,
c. 249,
s. 206,
subs. 18,
repealed

10. Section 207 of *The Municipal Act*, as amended by section 30 of *The Municipal Amendment Act, 1961-62* and section 10 of *The Municipal Amendment Act, 1966*, is repealed. R.S.O. 1960,
c. 249,
s. 207,
repealed

11. Subsection 5 of section 238 of *The Municipal Act* is repealed and the following substituted therefor: R.S.O. 1960
c. 249,
s. 238,
subs. 5,
re-enacted

(5) Notwithstanding any other Act, in any proceeding to which a municipality is a party, costs adjudged to the municipality shall not be disallowed or reduced merely because the solicitor or the counsel who earned such costs, or in respect of whose services the costs are charged, was a salaried officer of the municipality performing such services in the discharge of his duty and remunerated therefor by his salary, or for that or any other reason was not entitled to recover any costs from the municipality in respect of the services so rendered, and the costs recovered by or on behalf of the municipality in any such case shall be paid into the general funds of the municipality. Costs of
municipality
in any
proceeding

12. Clause *n* of subsection 2 of section 286 of *The Municipal Act* is repealed and the following substituted therefor: R.S.O. 1960,
c. 249,
s. 286,
subs. 2,
cl. *n*,
re-enacted

(*n*) agreements respecting homes under *The Homes for the Aged and Rest Homes Act*. R.S.O. 1960,
c. 174

13.—(1) Subsection 1 of section 294a of *The Municipal Act*, as enacted by section 11 of *The Municipal Amendment Act, 1960-61*, is repealed and the following substituted therefor: R.S.O. 1960,
c. 249,
s. 294a
(1960-61,
c. 59, s. 11),
subs. 1,
re-enacted

(1) Notwithstanding section 294, the council of every local municipality may by by-law passed before the adoption of the estimates in any year provide that in that year and in each succeeding year the council may, before the adoption of the estimates for that year, levy on the whole of the assessment for real property according to the last revised assessment Levy
authorized
before
estimates
adopted

roll a sum not exceeding 50 per cent of that which would be produced by applying to such assessment the total rate for all purposes levied in the preceding year on residential real property of public school supporters, and such by-law shall remain in force from year to year until it is repealed and any by-law repealing such by-law shall be effective only at the end of any year.

R.S.O. 1960,
c. 249,
s. 294a,
subs. 1a
(1966,
c. 93, s. 17,
subs. 1),
re-enacted

(2) Subsection 1a of the said section 294a, as enacted by subsection 1 of section 17 of *The Municipal Amendment Act, 1966*, is repealed and the following substituted therefor:

Business
assessment

(1a) Where the council of a local municipality has not provided for taking the assessment of business during the same year in which the rates of taxation thereon are to be levied under section 130 of *The Assessment Act*, the council, notwithstanding section 294, may by by-law passed before the adoption of the estimates in any year provide that in that year and in each succeeding year the council may, before the adoption of the estimates for the year, levy on the whole of the business assessment according to the last revised assessment roll a sum not exceeding 50 per cent of that which would be produced by applying to such assessment the total rate for all purposes levied in the preceding year on business assessment of public school supporters, and such by-law shall remain in force from year to year until it is repealed and any by-law repealing such by-law shall be effective only at the end of any year.

R.S.O. 1960,
c. 249,
s. 333,
amended

14. Section 333 of *The Municipal Act*, as amended by section 8 of *The Municipal Amendment Act, 1964*, is further amended by adding thereto the following subsection:

Lease

(1a) Without limiting the generality of this section, in subsection 1 "otherwise dispose of" shall be deemed to include and to have always included a lease.

R.S.O. 1960,
c. 249,
s. 377,
par. 11
(1962-63,
c. 87, s. 15,
subs. 1),
re-enacted

15.—(1) Paragraph 11 of section 377 of *The Municipal Act*, as re-enacted by subsection 1 of section 15 of *The Municipal Amendment Act, 1962-63*, is repealed and the following substituted therefor:

Officers
becoming
members of
associations
for
improving
technical
skill

11. For any of the elected or appointed officers of the corporation becoming members of any municipal union or association or any other association for extending and improving the technical skill of such officers in the discharge of their municipal duties,

and for paying the whole or part of the fees for such membership or for tuition of officers or employees enrolled in any course of instruction sponsored by such union or association, and for paying the expenses of such officers attending any meeting of such union or association or upon its business.

(2) Clause *b* of paragraph 60 of the said section 377, as amended by subsection 3 of section 22 of *The Municipal Amendment Act, 1966*, is repealed and the following substituted therefor:

R.S.O. 1960,
c. 249,
s. 377,
par. 60,
cl. *b*,
re-enacted

(b) A by-law passed under this paragraph may provide, upon such terms and conditions as may be prescribed, for placing to the credit of an employee formerly employed by another municipality or local board which had established a sick leave credit plan under this or any other general or special Act the whole or any part of the sick leave credits standing to the credit of the employee in the plan of the municipality or local board formerly employing the employee.

Allowing
of credits
on transfer
of
employment

(3) Clause *c*, as enacted by subsection 2 of section 14 of *The Municipal Amendment Act, 1960-61*, and clause *d*, as enacted by subsection 4 of section 22 of *The Municipal Amendment Act, 1966*, of paragraph 60 of the said section 377 are repealed and the following substituted therefor:

R.S.O. 1960,
c. 249,
s. 377,
par. 60, cl. *c*
(1960-61,
c. 59, s. 14,
subs. 2),
re-enacted;
cl. *d*,
(1966,
c. 93, s. 22,
subs. 4),
repealed

(c) Any local board, except a school board, may establish a plan of sick leave credit gratuities for employees or any class thereof, and the provisions of this paragraph apply *mutatis mutandis* thereto.

Local
boards

16.—(1) Paragraph 1 of subsection 1 of section 379 of *The Municipal Act* is amended by inserting after “foxes” in the second line “reptiles”, so that the paragraph shall read as follows:

R.S.O. 1960,
c. 249,
s. 379,
subs. 1,
par. 1,
amended

1. For regulating the keeping of domestic fowl or pigeons or cattle, goats, swine, horses, rabbits, mink, foxes, reptiles or other animals, or kennels for the breeding or boarding of cats and dogs, within the municipality or defined areas thereof.

Regulating
the keeping
of animals,
etc.

(2) Paragraph 1*a* of subsection 1 of the said section 379, as enacted by subsection 1 of section 27 of *The Municipal Amendment Act, 1965*, is amended by inserting after “foxes” in the third line “reptiles”, so that the paragraph shall read as follows:

R.S.O. 1960,
c. 249,
s. 379,
subs. 1,
par. 1*a*
(1965,
c. 77, s. 27,
subs. 1),
amended

Restricting
number of
animals that
may be kept

- 1a. For restricting the number of domestic fowl or pigeons or cattle, goats, swine, horses, rabbits, mink, foxes, reptiles or other animals that may be kept by any person within the municipality or defined areas thereof.

R.S.O. 1960,
c. 249,
s. 379,
subs. 1,
par. 2,
amended

- (3) Paragraph 2 of subsection 1 of the said section 379 is amended by inserting after "foxes" in the second line "reptiles", so that the paragraph shall read as follows:

Prohibiting
keeping of
animals, etc.

2. For prohibiting the keeping of domestic fowl or cattle, goats, swine, rabbits, mink, foxes, reptiles or other animals, except horses or mules, within the municipality or defined areas thereof.

R.S.O. 1960,
c. 249,
s. 379,
subs. 1,
par. 114,
re-enacted

- (4) Paragraph 114 of subsection 1 of the said section 379 is repealed and the following substituted therefor:

Noise

114. For prohibiting or regulating, within the municipality or within any defined area or areas thereof, the ringing of bells, the blowing of horns, shouting and unusual noises, or noises likely to disturb the inhabitants.

R.S.O. 1960,
c. 249,
s. 401,
par. 5,
re-enacted

17. Paragraph 5 of section 401 of *The Municipal Act* is repealed and the following substituted therefor:

Electrical
workers

5. For examining, licensing, regulating and governing electrical contractors and master electricians or for permitting them by reason of registration with the Electrical Contractors Association of Ontario or other qualification to carry on their trade without examination or licence, or both.

- (a) In this paragraph, "master electrician" means a person who is skilled in the planning, superintending and installing of wires, conduits, apparatus, fixtures or other appliances for the carrying or using of electricity for light, heat or power purposes, who is familiar with the laws, rules and regulations governing the same, who has a regular place of business in the municipality and who, himself, or by journeymen electricians in his employ, performs electrical work; and "journeyman electrician" means a person who has been issued a certificate of qualification in the trade of electrician by the Department of Labour.

- (b) The by-law does not apply to the employees of a public service commission or corporation.

18. Section 406a of *The Municipal Act*, as enacted by R.S.O. 1960, c. 249, s. 406a (1961-62, c. 86, s. 45), repealed and the following substituted therefor: re-enacted

406a. The council of a municipality may pass by-laws for Accident, etc., insurance re members of council R.S.O. 1960, c. 190 providing by contract with an insurer licensed under *The Insurance Act*,

- (a) group accident insurance to indemnify any member of council or his estate against loss in case he is accidentally killed or injured; and
- (b) group public liability and property damage insurance to indemnify any member of council or his estate in respect of loss or damage for which he has become liable by reason of injury to persons or property or in respect of loss or damage suffered by him by reason of injury to his own property,

while travelling on the business of the corporation or in the performance of his duties as a member of council either within or outside the municipality.

19. Section 409 of *The Municipal Act* is repealed and the following substituted therefor: R.S.O. 1960, c. 249, s. 409, re-enacted

409. A member of the council of a village or township having a population of 3,000 or less may be appointed commissioner, superintendent or overseer of any work, other than a highway, undertaken wholly or in part at the expense of the corporation, and may be paid the like remuneration for his services as if he were not a member of the council. Appointment of member of council as commissioner, etc.

20. Paragraph 3 of section 469 of *The Municipal Act*, as re-enacted by section 34 of *The Municipal Amendment Act, 1966*, is repealed and the following substituted therefor: R.S.O. 1960, c. 249, s. 469, par. 3 (1966, c. 93, s. 34), re-enacted

3. For permitting the owners of land to make, maintain and use areas under and openings to them in the highways and sidewalks and for permitting the owners or lessees of land abutting on one side of a highway to construct, maintain and use a bridge or other structure over, across or under the highway for the purpose of access to land on the other side of the highway, which any such owner or lessee owns or Use of highways by owners and lessees of abutting lands

leases or in respect of which he has a licence of occupation, and for permitting the owners of land to maintain and use signs and other advertising devices that project over the sidewalks, movable receptacles containing plants, shrubs or trees over or upon the sidewalks and canopies that project over the sidewalks, and for permitting the owners or lessees of land to make, maintain and use over the sidewalks and untravelled portions of the highway covers of cloth, rubber, plastic or similar material with suitable frames therefor at a height of not less than eight feet above the highway together with posts for the support of such cover and frame, and for permitting the owners or lessees of land to install, maintain and use heating devices in, under, over or upon the sidewalks, and for prescribing the terms and conditions upon which the same shall be made, constructed, installed, maintained and used and for making such annual or other charge for the privilege conferred by the by-law as the council may deem reasonable, and for providing that, upon the termination of such privilege, the highway shall be restored to its former condition at the expense of the owner or lessee of the land, to which the privilege is appurtenant, by filling in the area or opening, removing the bridge, structure, sign or other advertising device, receptacle, canopy, cover, frame and posts or heating device or otherwise as may be required by the by-law.

Charge

- (a) Such annual or other charge and any expense incurred by the corporation in restoring the highway to its former condition is payable, and payment of it may be enforced in like manner as taxes are payable, and payment of them may be enforced.

**Liability
of corpora-
tion for
damages**

- (b) The corporation is liable for any want of repair of the highway that may result from the construction, installation, maintenance and use of any such area or opening, bridge or structure, sign or advertising device, receptacle, canopy, cover, frame and posts or heating device, but is entitled to the remedy over provided for by section 450 against the person by whose act or omission the want of repair is caused.

R.S.O. 1960,
c. 249,
s. 522,
subs. 8,
re-enacted

21. Subsection 8 of section 522 of *The Municipal Act* is repealed and the following substituted therefor:

- (8) The board shall appoint a secretary-treasurer who may be a member of the board, who shall hold office during pleasure and, with respect to the improvement district, has the powers and shall perform the duties of, ^{Secretary-treasurer}

- (a) the clerk, treasurer and collector of a municipality;
- (b) the assessor of a municipality, except where a county assessment commissioner or district assessor has been appointed for the county or district in which the improvement district is situated; and
- (c) the secretary and treasurer of every local board of which the members are the members of the board of trustees.

22. Notwithstanding that the improvement districts of Dorion, Sioux Narrows and Bicroft do not have the population required for the purpose of subsection 1 or 2 of section 11 of *The Municipal Act*, an application may be made under such subsection 1 or 2 by any of such improvement districts or by the Minister of Municipal Affairs when authorized by the Lieutenant Governor in Council for the erection of the improvement district into a village or a township. ^{Authority to apply to erect certain improvement districts into a village or township R.S.O. 1960, c. 249}

23.—(1) The council of The Corporation of the County of Huron may pass by-laws for making grants in aid of persons whose property within the County suffered injury or damage as a result of the tornado which occurred on or about the 17th day of April, 1967. ^{Grants for tornado damage, in Huron County}

(2) The council of The Corporation of the County of Perth may pass by-laws for making grants in aid of persons whose property within the County suffered injury or damage as a result of the tornado which occurred on or about the 17th day of April, 1967. ^{in Perth County}

24.—(1) This Act, except section 19, comes into force on the day it receives Royal Assent. ^{Commencement}

(2) Section 19 comes into force on the 1st day of January, 1968. ^{Idem}

25. This Act may be cited as *The Municipal Amendment Act, 1967*. ^{Short title}

171

171

171

An Act to amend The Municipal Act

1st Reading

May 8th, 1967

2nd Reading

May 26th, 1967

3rd Reading

June 12th, 1967

MR. SPOONER

BILL 112

5TH SESSION, 27TH LEGISLATURE, ONTARIO
15-16 ELIZABETH II, 1967

An Act to amend The Fire Departments Act

MR. WISHART

Amendment to the Arbitration Act
enacted 1991

Enacted by the Parliament of the United Kingdom

EXPLANATORY NOTE

The amendment provides a method of enforcing arbitration decisions.

1. The amendment provides a method of enforcing arbitration decisions.

BILL 112

1967

An Act to amend The Fire Departments Act

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Section 7 of *The Fire Departments Act*, as amended by R.S.O. 1960, c. 145, s. 7, section 5 of *The Fire Departments Amendment Act, 1964*, is amended further amended by adding thereto the following subsection:

- (8) Where a party, municipality, trade union or full-time fire fighter has failed to comply with any of the terms of the decision of an arbitrator or arbitration board, any party, municipality, trade union or full-time fire fighter affected by the decision may, after the expiration of thirty days from the date of the delivery of the decision or the date provided in the decision for compliance, whichever is later, file in the office of the Registrar of the Supreme Court a copy of the decision, exclusive of the reasons therefor, in the form prescribed by the regulations, whereupon the decision shall be entered in the same way as a judgment or order of that court and is enforceable as such. ^{Enforcement of decisions}

2. This Act comes into force on the day it receives Royal Assent. ^{Commencement}

3. This Act may be cited as *The Fire Departments Amendment Act, 1967*. ^{Short title}

An Act to amend
The Fire Departments Act

1st Reading

May 9th, 1967

2nd Reading

3rd Reading

MR. WISHART

BILL 112

5TH SESSION, 27TH LEGISLATURE, ONTARIO
15-16 ELIZABETH II, 1967

An Act to amend The Fire Departments Act

MR. WISHART

BILL 112

1967

An Act to amend The Fire Departments Act

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Section 7 of *The Fire Departments Act*, as amended by R.S.O. 1960, c. 146, s. 7, section 5 of *The Fire Departments Amendment Act, 1964*, is amended further amended by adding thereto the following subsection:

- (8) Where a party, municipality, trade union or full-time fire fighter has failed to comply with any of the terms of the decision of an arbitrator or arbitration board, any party, municipality, trade union or full-time fire fighter affected by the decision may, after the expiration of thirty days from the date of the delivery of the decision or the date provided in the decision for compliance, whichever is later, file in the office of the Registrar of the Supreme Court a copy of the decision, exclusive of the reasons therefor, in the form prescribed by the regulations, whereupon the decision shall be entered in the same way as a judgment or order of that court and is enforceable as such. ^{Enforcement of decisions}

2. This Act comes into force on the day it receives Royal Assent. ^{Commencement}

3. This Act may be cited as *The Fire Departments Amendment Act, 1967*. ^{Short title}

An Act to amend
The Fire Departments Act

1st Reading

May 9th, 1967

2nd Reading

May 26th, 1967

3rd Reading

June 5th, 1967

MR. WISHART

BILL 113

5TH SESSION, 27TH LEGISLATURE, ONTARIO
15-16 ELIZABETH II, 1967

An Act to amend The Summary Convictions Act

MR. WISHART

EXPLANATORY NOTE

Section 20 of the *Criminal Code* (Canada) adopted for provincial offences by section 3 of *The Summary Convictions Act* authorizes the issuance of summonses on a holiday but not their service.

The Bill authorizes the service of uniform traffic ticket summonses on a holiday (including Sunday).

BILL 113

1967

**An Act to amend
The Summary Convictions Act**

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Section 7 of *The Summary Convictions Act* is amended by adding thereto the following subsection: R.S.O. 1960,
c. 387, s. 7,
amended

(6a) Delivery of a traffic ticket summons under sub-
section 6 may be made on a holiday. Delivery on
holiday

2. This Act comes into force on the day it receives Royal Assent. Commence-
ment

3. This Act may be cited as *The Summary Convictions Amendment Act, 1967*. Short title

An Act to amend
The Summary Convictions Act

1st Reading

May 9th, 1967

2nd Reading

3rd Reading

MR. WISHART

BILL 113

5TH SESSION, 27TH LEGISLATURE, ONTARIO
15-16 ELIZABETH II, 1967

An Act to amend The Summary Convictions Act

MR. WISHART

BILL 113

1967

**An Act to amend
The Summary Convictions Act**

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Section 7 of *The Summary Convictions Act* is amended by adding thereto the following subsection: R.S.O. 1960,
c. 387, s. 7,
amended

(6a) Delivery of a traffic ticket summons under sub-section 6 may be made on a holiday. Delivery on
holiday

2. This Act comes into force on the day it receives Royal Assent. Commence-
ment

3. This Act may be cited as *The Summary Convictions Amendment Act, 1967*. Short title

An Act to amend
The Summary Convictions Act

1st Reading

May 9th, 1967

2nd Reading

May 26th, 1967

3rd Reading

June 5th, 1967

MR. WISHART

BILL 114

5TH SESSION, 27TH LEGISLATURE, ONTARIO
15-16 ELIZABETH II, 1967

An Act to amend The Game and Fish Act, 1961-62

MR. BRUNELLE

EXPLANATORY NOTES

SECTION 1. Self-explanatory.

SECTIONS 2 and 3. The provisions respecting the wearing of licence badges are clarified.

BILL 114 *Game and Fish Amendment Act, 1967*

**An Act to amend
The Game and Fish Act, 1961-62**

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Subsection 3 of section 6 of *The Game and Fish Act*, 1961-62, c. 48, s. 6, 1961-62, as enacted by section 1 of *The Game and Fish Amendment Act*, 1962-63, is repealed and the following substituted therefor: 1961-62, c. 48, s. 6, subs. 3 (1962-63, c. 48, s. 1), re-enacted

(3) The Minister or the Minister of Public Works may enter into agreements with the owners of lands respecting the management of the lands for the purposes mentioned in subsection 1, and such agreements may transfer to Her Majesty in right of Ontario the hunting and fishing rights in the lands and may authorize Her Majesty to carry out habitat improvement work, protective measures, stocking programmes, fencing, erection of signs and any other management practice. Management agreements

(4) An agreement entered into under subsection 3 may be registered in the proper registry or land titles office, and thereupon such agreement is binding upon every subsequent owner and mortgagee of the lands during the term of the agreement. Registration of agreements

2. Subsection 8 of section 34 of *The Game and Fish Act*, 1961-62, c. 48, s. 34, 1961-62 is repealed and the following substituted therefor: 1961-62, c. 48, s. 34, subs. 8, re-enacted

(8) The holder of a licence of a class designated by the regulations shall wear in a conspicuous place on his person a badge clearly showing the number of the licence. Wearing of badge

3. Section 83 of *The Game and Fish Act*, 1961-62 is amended by adding thereto the following paragraph: 1961-62, c. 48, s. 83, amended

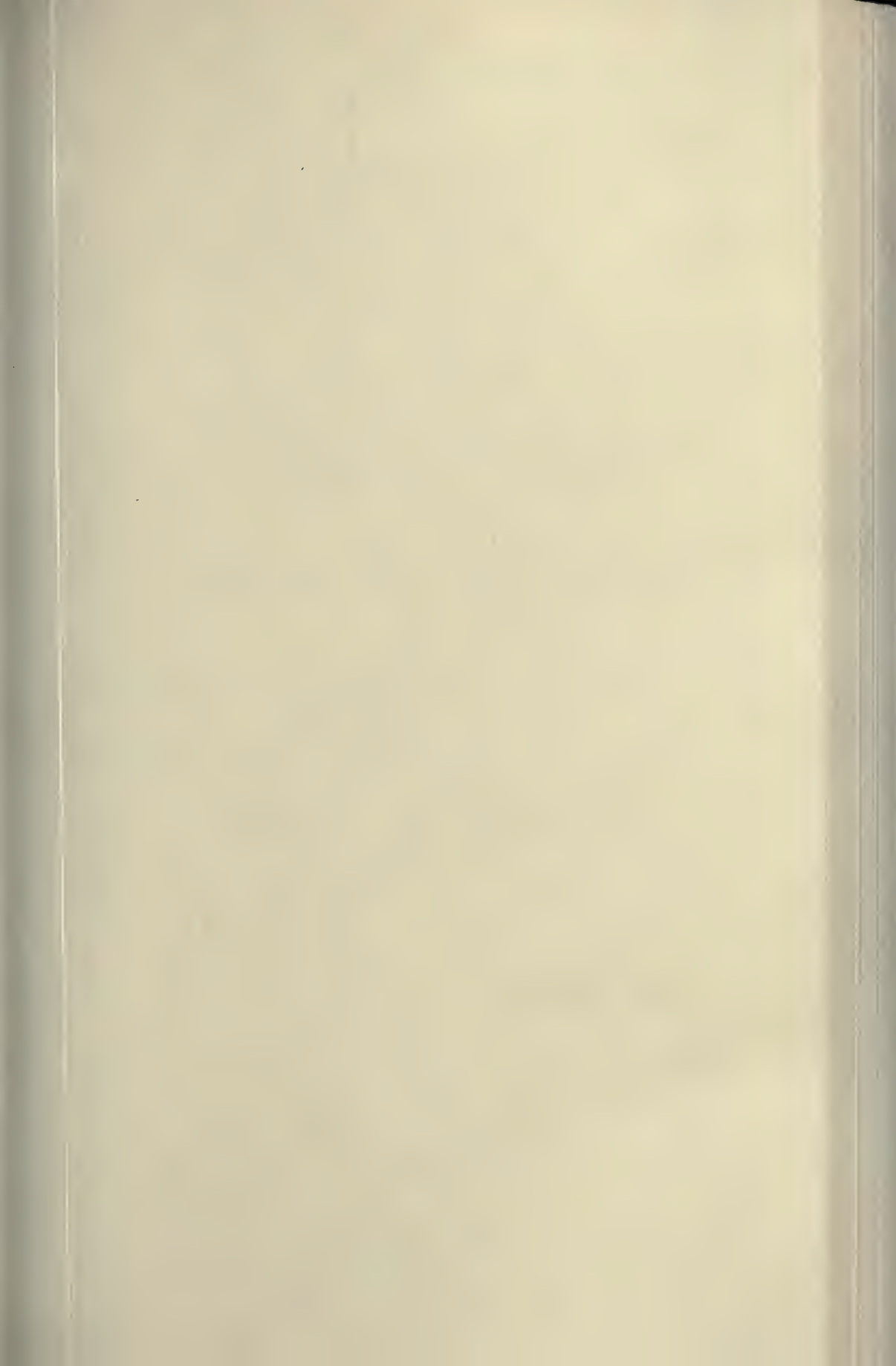
4a. designating classes of licences for the purposes of subsection 8 of section 34.

Commence-
ment

4. This Act comes into force on the day it receives Royal Assent.

Short title

5. This Act may be cited as *The Game and Fish Amendment Act, 1967*.



An Act to amend
The Game and Fish Act, 1961-62

1st Reading

May 10th, 1967

2nd Reading

3rd Reading

MR. BRUNELLE

BILL 114

5TH SESSION, 27TH LEGISLATURE, ONTARIO
15-16 ELIZABETH II, 1967

An Act to amend The Game and Fish Act, 1961-62

MR. BRUNELLE

BILL 114

1967

An Act to amend The Game and Fish Act, 1961-62

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Subsection 3 of section 6 of *The Game and Fish Act*, 1961-62, c. 48, s. 6, 1961-62, as enacted by section 1 of *The Game and Fish Amendment Act*, 1962-63, is repealed and the following substituted therefor:

1961-62,
c. 48, s. 6,
subs. 3
(1962-63,
c. 48, s. 1),
re-enacted
- (3) The Minister or the Minister of Public Works may enter into agreements with the owners of lands respecting the management of the lands for the purposes mentioned in subsection 1, and such agreements may transfer to Her Majesty in right of Ontario the hunting and fishing rights in the lands and may authorize Her Majesty to carry out habitat improvement work, protective measures, stocking programmes, fencing, erection of signs and any other management practice.

Management
agreements
- (4) An agreement entered into under subsection 3 may be registered in the proper registry or land titles office, and thereupon such agreement is binding upon every subsequent owner and mortgagee of the lands during the term of the agreement.

Registra-
tion of
agreements
2. Subsection 8 of section 34 of *The Game and Fish Act*, 1961-62, c. 48, s. 34, 1961-62 is repealed and the following substituted therefor:

1961-62,
c. 48, s. 34,
subs. 8,
re-enacted
- (8) The holder of a licence of a class designated by the regulations shall wear in a conspicuous place on his person a badge clearly showing the number of the licence.

Wearing
of badge
3. Section 83 of *The Game and Fish Act*, 1961-62 is amended by adding thereto the following paragraph:

1961-62,
c. 48, s. 83,
amended

4a. designating classes of licences for the purposes of subsection 8 of section 34.

Commence-
ment

4. This Act comes into force on the day it receives Royal Assent.

Short title

5. This Act may be cited as *The Game and Fish Amendment Act, 1967*.

An Act to amend
The Game and Fish Act, 1961-62

1st Reading

May 10th, 1967

2nd Reading

June 1st, 1967

3rd Reading

June 12th, 1967

MR. BRUNELLE

BILL 115

5TH SESSION, 27TH LEGISLATURE, ONTARIO
15-16 ELIZABETH II, 1967

An Act to amend The Live Stock Community Sales Act

MR. STEWART

AMENDMENT TO THE ACT
RELATIVE TO THE SALE OF PURE
BRED LIVE STOCK

AMENDMENT TO THE ACT
RELATIVE TO THE SALE OF PURE
BRED LIVE STOCK

EXPLANATORY NOTE

The present clause *c* of section 2 of the Act excludes all sales of pure bred live stock from the application of the Act.

The purpose of these amendments is to exclude only such sales or classes of sales as are designated by the regulations.

BILL 115

1967

**An Act to amend
The Live Stock Community Sales Act**

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Clause *c* of section 2 of *The Live Stock Community Sales Act* is repealed and the following substituted therefor: R.S.O. 1960,
c. 221, s. 2,
cl. *c*,
re-enacted

(*c*) a sale of pure bred live stock that is or is of a class that is designated by the regulations; or

2. Section 13 of *The Live Stock Community Sales Act* is amended by adding thereto the following clause: R.S.O. 1960,
c. 221, s. 13,
amended

(*ca*) designating sales or classes of sales of pure bred live stock for the purpose of clause *c* of section 2.

3. This Act comes into force on a day to be named by the Lieutenant Governor by his proclamation. Commence-
ment

4. This Act may be cited as *The Live Stock Community Sales Amendment Act, 1967 (No. 2)*. Short title

An Act to amend
The Live Stock Community Sales Act

1st Reading

May 11th, 1967

2nd Reading

3rd Reading

MR. STEWART

BILL 115

5TH SESSION, 27TH LEGISLATURE, ONTARIO
15-16 ELIZABETH II, 1967

An Act to amend The Live Stock Community Sales Act

MR. STEWART

BILL 115

1967

**An Act to amend
The Live Stock Community Sales Act**

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Clause *c* of section 2 of *The Live Stock Community Sales Act* is repealed and the following substituted therefor: R.S.O. 1960,
c. 221, s. 2,
cl. *c*,
re-enacted

(*c*) a sale of pure bred live stock that is or is of a class that is designated by the regulations; or

.

2. Section 13 of *The Live Stock Community Sales Act* is amended by adding thereto the following clause: R.S.O. 1960,
c. 221, s. 13,
amended

(*ca*) designating sales or classes of sales of pure bred live stock for the purpose of clause *c* of section 2.

3. This Act comes into force on a day to be named by the Lieutenant Governor by his proclamation. Commence-
ment

4. This Act may be cited as *The Live Stock Community Sales Amendment Act, 1967 (No. 2)*. Short title

An Act to amend
The Live Stock Community Sales Act

1st Reading

May 11th, 1967

2nd Reading

May 26th, 1967

3rd Reading

June 5th, 1967

MR. STEWART

BILL 116

5TH SESSION, 27TH LEGISLATURE, ONTARIO
15-16 ELIZABETH II, 1967

An Act respecting the Village of Hagersville

MR. SPOONER

TORONTO

PRINTED AND PUBLISHED BY FRANK FOGG, QUEEN'S PRINTER

EXPLANATORY NOTE

The Bill authorizes the Village of Hagersville to pass a by-law, without the approval of the Ontario Municipal Board, to provide for the issue of debentures for the purpose of paying for the construction of certain sewers and watermains and to provide, with the approval of the Ontario Municipal Board, for the imposition of a sewer rate and water works rate in respect of the capital cost of such works.

BILL 116

1967

An Act respecting the Village of Hagersville

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. The council of The Corporation of the Village of Hagersville may pass a by-law, without obtaining the approval of the Ontario Municipal Board, providing for the issue of a debenture or debentures of the Corporation in a principal amount not exceeding \$104,500, payable in not more than twenty years, for the purpose of paying for the construction of sanitary sewers and watermains as set forth in the Schedule hereto. Debenture by-law authorized

2. Sections 55, 56, 57 and 58 of *The Ontario Municipal Board Act* apply in respect of a by-law passed under section 1 and the debenture or debentures to be issued thereunder. Application of R.S.O. 1960, c. 274

3. For the purposes of every Act, the Ontario Municipal Board shall be deemed to have issued an order under paragraph 52 of subsection 1 of section 379 of *The Municipal Act* and section 64 of *The Ontario Municipal Board Act* authorizing The Corporation of the Village of Hagersville to proceed with the undertaking referred to in section 1 and authorizing The Corporation of the Village of Hagersville to issue a debenture or debentures under section 1. By-law deemed approved by O.M.B. R.S.O. 1960, cc. 249, 274

4. Notwithstanding that in the by-law authorizing the construction of the works set forth in the Schedule hereto there was no provision for imposing, with the approval of the Ontario Municipal Board, upon owners or occupants of land who derive or will or may derive a benefit from the works a sewer rate or a water works rate sufficient to pay for the whole or a portion or percentage of the capital cost of the works, The Corporation of the Village of Hagersville may, with the approval of the Ontario Municipal Board, by by-law provide for the imposition of a sewer rate and water works rate in respect of the capital cost of the works set forth in the Schedule hereto, and the provisions of section 380 of *The Municipal Act* Sewer rate and water works rate R.S.O. 1960, c. 249

apply *mutatis mutandis*, and the Ontario Municipal Board has jurisdiction on any application for any approval in respect of such works under such section 380.

Commence-
ment

5. This Act comes into force on the day it receives Royal Assent.

Short title

6. This Act may be cited as *The Village of Hagersville Act, 1967*.

SCHEDULE

CONSTRUCTION OF SANITARY SEWERS

Street	From	To	Length	Pipe Size	No. of Services	Estimated Cost
King St....	Hunter St..	430' east of Hunter St.....	430 ft.	8 in.	9	\$ 5,600.00
King St....	Parkview Rd.....	850' west of Park- view Rd.....	850 ft.	10 in.	7	\$12,300.00
King St....	Parkview Rd.....	60' west of the East Village limit as designated on the south of King St.	800 ft.	12 in.	10	\$10,300.00
Parkview Rd.....	King St....	1566' west of King St. as measured from the S.S.L. of King St.....	1600 ft.	14 in.	1	\$30,300.00
TOTAL ESTIMATED COST.....						<u>\$58,500.00</u>

CONSTRUCTION OF WATERMAINS

Street	From	To	Length	Pipe Size	No. of Services	Estimated Cost
King St....	Hunter St..	430' east of Hunter St.....	400 ft.	6 in.	9	\$ 4,100.00
King St....	430' east of Hunter St.	60' west of the East Village limit as designated on the south side of King St.....	1780 ft.	8 in.	17	\$19,700.00
Parkview Rd.....	Hunter St..	King St.....	1730 ft.	8 in.	1	\$22,200.00
TOTAL ESTIMATED COST.....						<u>\$46,000.00</u>

An Act respecting the Village of Hagersville

1st Reading

May 11th, 1967

2nd Reading

3rd Reading

MR. SPOONER

BILL 116

5TH SESSION, 27TH LEGISLATURE, ONTARIO
15-16 ELIZABETH II, 1967

An Act respecting the Village of Hagersville

MR. SPOONER

BILL 116

1967

An Act respecting the Village of Hagersville

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. The council of The Corporation of the Village of Hagersville may pass a by-law, without obtaining the approval of the Ontario Municipal Board, providing for the issue of a debenture or debentures of the Corporation in a principal amount not exceeding \$104,500, payable in not more than twenty years, for the purpose of paying for the construction of sanitary sewers and watermains as set forth in the Schedule hereto. Debenture by-law authorized

2. Sections 55, 56, 57 and 58 of *The Ontario Municipal Board Act* apply in respect of a by-law passed under section 1 and the debenture or debentures to be issued thereunder. Application of R.S.O. 1960, c. 274

3. For the purposes of every Act, the Ontario Municipal Board shall be deemed to have issued an order under paragraph 52 of subsection 1 of section 379 of *The Municipal Act* and section 64 of *The Ontario Municipal Board Act* authorizing The Corporation of the Village of Hagersville to proceed with the undertaking referred to in section 1 and authorizing The Corporation of the Village of Hagersville to issue a debenture or debentures under section 1. By-law deemed approved by O.M.B. R.S.O. 1960, cc. 249, 274

4. Notwithstanding that in the by-law authorizing the construction of the works set forth in the Schedule hereto there was no provision for imposing, with the approval of the Ontario Municipal Board, upon owners or occupants of land who derive or will or may derive a benefit from the works a sewer rate or a water works rate sufficient to pay for the whole or a portion or percentage of the capital cost of the works, The Corporation of the Village of Hagersville may, with the approval of the Ontario Municipal Board, by by-law provide for the imposition of a sewer rate and water works rate in respect of the capital cost of the works set forth in the Schedule hereto, and the provisions of section 380 of *The Municipal Act* Sewer rate and water works rate R.S.O. 1960, c. 249

apply *mutatis mutandis*, and the Ontario Municipal Board has jurisdiction on any application for any approval in respect of such works under such section 380.

Commence-
ment

5. This Act comes into force on the day it receives Royal Assent.

Short title

6. This Act may be cited as *The Village of Hagersville Act, 1967*.

SCHEDULE

CONSTRUCTION OF SANITARY SEWERS

Street	From	To	Length	Pipe Size	No. of Services	Estimated Cost
King St....	Hunter St..	430' east of Hunter St.....	430 ft.	8 in.	9	\$ 5,600.00
King St....	Parkview Rd.....	850' west of Park- view Rd.....	850 ft.	10 in.	7	\$12,300.00
King St....	Parkview Rd.....	60' west of the East Village limit as designated on the south of King St.	800 ft.	12 in.	10	\$10,300.00
Parkview Rd.....	King St....	1566' west of King St. as measured from the S.S.L. of King St.....	1600 ft.	14 in.	1	\$30,300.00
TOTAL ESTIMATED COST.....						<u>\$58,500.00</u>

CONSTRUCTION OF WATERMAINS

Street	From	To	Length	Pipe Size	No. of Services	Estimated Cost
King St....	Hunter St..	430' east of Hunter St.....	400 ft.	6 in.	9	\$ 4,100.00
King St....	430' east of Hunter St..	60' west of the East Village limit as designated on the south side of King St.....	1780 ft.	8 in.	17	\$19,700.00
Parkview Rd.....	Hunter St..	King St.....	1730 ft.	8 in.	1	\$22,200.00
TOTAL ESTIMATED COST.....						<u>\$46,000.00</u>

An Act respecting the Village of Hagersville

1st Reading

May 11th, 1967

2nd Reading

May 26th, 1967

3rd Reading

June 12th, 1967

MR. SPOONER

BILL 117

5TH SESSION, 27TH LEGISLATURE, ONTARIO
15-16 ELIZABETH II, 1967

An Act to amend The Hours of Work and Vacations with Pay Act

MR. FREEMAN

THE WORKING HOURS (REDUCTION) BILL

THE WORKING HOURS (REDUCTION) BILL
1919. THE WORKING HOURS (REDUCTION) BILL. THE WORKING HOURS (REDUCTION) BILL.

EXPLANATORY NOTE

The Bill:

1. reduces the maximum working week from forty-eight hours to forty hours;
2. ensures that the reduction in hours does not affect the wages now earned in a maximum working week; the Industry and Labour Board is authorized to provide for a gradual transition; and
3. provides for time and one-half for overtime work.

BILL 117

1967

An Act to amend The Hours of Work and Vacations with Pay Act

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Subsection 1 of section 2 of *The Hours of Work and Vacations with Pay Act* is amended by striking out "forty-eight" in the third line and inserting in lieu thereof "forty",
R.S.O. 1960, c. 181, s. 2, subs. 1, amended
 so that the subsection shall read as follows:

- (1) Subject to this Act, the working hours of an employee
 in an industrial undertaking shall not exceed eight
 in the day and forty in the week.
Limitation of hours of work

2. *The Hours of Work and Vacations with Pay Act* is
 amended by adding thereto the following section:
R.S.O. 1960, c. 181, amended

- 2c. Whenever an employee whose working hours are
 governed by this Act or the regulations does overtime
 work, he shall be paid therefor at a rate at least equal
 to one and one-half times his normal rate of pay.
Overtime pay

3.—(1) In this Act, "regular weekly working hours" means
 the hours regularly worked in a week by employees without
 payment of an overtime rate of pay.
Interpretation

(2) Where, immediately before this Act comes into force,
 the regular weekly working hours of an employee in an
 industrial undertaking are more than forty and the employee
 is paid at a rate other than an hourly or daily rate or at a rate
 for piece work, the employer shall not reduce the employee's
 rate of wages for the reason that the hours are reduced.
When rate of wages not affected

(3) Where, immediately before this Act comes into force,
 the regular weekly working hours of an employee in an in-
 dustrial undertaking are more than forty and the employee
When rate of wages converted

is paid at an hourly or daily rate or at a rate for piece work, the employer shall increase the rate by the same proportion as the number of regular weekly working hours bears to 40.

Board may
provide for
transition

4. Where the regular weekly working hours in an industrial undertaking or branch thereof are more than forty and the Board is satisfied that the coming into force of section 1 would work undue hardship, the Board may, by order, authorize a progressive reduction of the regular weekly working hours in the industrial undertaking or branch thereof upon such terms and conditions as the Board deems advisable, but subsection 1 of section 2 of *The Hours of Work and Vacations with Pay Act*, as amended by section 1, shall be fully complied with not later than the 1st day of July, 1968.

R.S.O. 1960,
c. 181,

Commence-
ment

5. This Act comes into force on the 1st day of July, 1967.

Short title

6. This Act may be cited as *The Hours of Work and Vacations with Pay Amendment Act, 1967*.

An Act to amend The Hours of Work
and Vacations with Pay Act

1st Reading

May 11th, 1967

2nd Reading

3rd Reading

MR. FREEMAN

BILL 118

5TH SESSION, 27TH LEGISLATURE, ONTARIO
15-16 ELIZABETH II, 1967

An Act to amend The Municipality of Metropolitan Toronto Act

MR. SPOONER

AMENDMENT TO THE ACT OF 1911
 RELATIVE TO THE METROPOLITAN CORPORATION

THE JOINT RESOLUTION OF THE LEGISLATURE
 OF THE STATE OF NEW YORK

EXPLANATORY NOTES

SECTION 1. Paragraph 62 of section 377 of *The Municipal Act*, which empowers councils of all municipalities to contribute towards the cost of employees of the plan of hospital care insurance provided for under *The Hospital Services Commission Act*, is made applicable to the Metropolitan Corporation.

SECTION 2. Self-explanatory.

SECTION 3—Subsection 1. The amendment is to make it clear that the word "municipality" means local municipality.

BILL 118

1967

An Act to amend The Municipality of Metropolitan Toronto Act

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Subsection 1 of section 17 of *The Municipality of Metropolitan Toronto Act*, as amended by subsection 1 of section 1 of *The Municipality of Metropolitan Toronto Amendment Act, 1960-61* and subsection 1 of section 4 of *The Municipality of Metropolitan Toronto Amendment Act, 1961-62*, is repealed and the following substituted therefor:

R.S.O. 1960,
c. 260, s. 17,
subs. 1,
re-enacted

- (1) Sections 192, 193, 195, 197, 198, 199, 244, 253, 275 to 280, paragraphs 61 and 62 of section 377 and section 406a of *The Municipal Act* apply *mutatis mutandis* to the Metropolitan Corporation.

Application
of
R.S.O. 1960,
c. 249

2. *The Municipality of Metropolitan Toronto Act* is amended by adding thereto the following section:

R.S.O. 1960,
c. 260,
amended

- 70a. The Metropolitan Council may contribute toward the cost to any area municipality of the separation of sanitary and storm sewers now in existence in the area municipality such amount as it deems proper not exceeding 25 per cent of the total cost thereof to the area municipality.

Contribution
towards cost
of separation
of combined
sewers

3.—(1) Clause *a* of subsection 3 of section 73a of *The Municipality of Metropolitan Toronto Act*, as enacted by section 10 of *The Municipality of Metropolitan Toronto Amendment Act, 1966*, is amended by inserting after "the" where it occurs the second time in the first line "local", so that the clause shall read as follows:

R.S.O. 1960,
c. 260,
s. 73a
(1966,
c. 96, s. 10),
subs. 3,
cl. a,
amended

- (a) the approval of the local municipality in which the land is situate, which approval may be granted upon such terms and conditions as may be agreed upon; or

R.S.O. 1960,
c. 260, s. 73a
(1966,
c. 96, s. 10),
subs. 3, cl. b,
re-enacted

(2) Clause *b* of subsection 3 of the said section 73a is repealed and the following substituted therefor:

(b) the approval of the Municipal Board.

R.S.O. 1960,
c. 260
amended

4. *The Municipality of Metropolitan Toronto Act* is amended by adding thereto the following section:

Agreements
for
pedestrian
walks

91a. The Metropolitan Corporation may by by-law authorize agreements between the Metropolitan Corporation and the owners or lessees of land abutting on a highway for the construction, maintenance and use of walks for pedestrians over, across or under the highway upon such terms and conditions as may be agreed and for contributing to the whole or any part of the cost thereof and for leasing or licensing the use of untravelled portions of such walks and adjoining lands to persons for such considerations and upon such terms and conditions as may be agreed.

R.S.O. 1960,
c. 260, s. 112,
subs. 2,
amended

5. Subsection 2 of section 112 of *The Municipality of Metropolitan Toronto Act* is amended by inserting after "of" where it occurs the first time in the second line "twice", so that the subsection shall read as follows:

Commission
contribu-
tions

(2) No contract under subsection 1 shall authorize contributions by the Commission in excess of twice the total of those made by the employees.

R.S.O. 1960,
c. 260, s. 123,
subs. 1
(1965,
c. 81, s. 4),
re-enacted

6.—(1) Subsection 1 of section 123 of *The Municipality of Metropolitan Toronto Act*, as re-enacted by section 4 of *The Municipality of Metropolitan Toronto Amendment Act, 1965*, is repealed and the following substituted therefor:

Tax
exemption
re subway
and other
rapid transit

(1) So long as any lands and easements owned by the Metropolitan Corporation or by the Commission are used by the Commission for the purpose of a subway or other rapid transit or as car yards or shops for or in connection with such subway or other rapid transit, such lands and easements and buildings and structures thereon so owned and used are exempt from business and real property taxation, and the Commission is not liable for payments in lieu thereof under section 43 of *The Assessment Act*.

R.S.O. 1960,
c. 23

R.S.O. 1960,
c. 260, s. 123,
subs. 2
(1965,
c. 81, s. 4),
re-enacted

(2) Subsection 2 of the said section 123, as re-enacted by section 4 of *The Municipality of Metropolitan Toronto Amendment Act, 1965*, is repealed and the following substituted therefor:

Subsection 2. The amendment is to remove any doubts as to the jurisdiction of the Municipal Board. It has been argued that, under the present wording of clause *b*, the Board has no jurisdiction until the Metropolitan Corporation has carried on negotiations with the municipality where the site is proposed to be located and such negotiations have finally resulted in failure to reach an agreement.

SECTION 4. Self-explanatory.

SECTION 5. Section 112 deals with the Toronto Transit Commission sick benefit plan, and the proposed amendment is to make the contributions of the Toronto Transit Commission consistent with those which are authorized by the Metropolitan Corporation.

SECTION 6. The tax exemption respecting lands and easements owned by the Metropolitan Corporation for the right of way of a subway or other rapid transit is extended to apply to all lands and easements and buildings and structures thereon owned by the Metropolitan Corporation or by the Commission and used by the Commission for the purpose of a subway or other rapid transit or as car yards or shops for or in connection with a subway or rapid transit except concessions operated, rented or leased in a subway or rapid transit station.

SECTION 7. As *The Day Nurseries Act, 1966* has not yet come into force, the reference is changed to the present *The Day Nurseries Act*.

SECTION 8. The proposed section is to give to the Metropolitan Corporation the same powers that were formerly had by the area municipalities in the provision of welfare in certain special instances.

SECTION 9. The same amendment that is being proposed to sub-clause iii was made to clause c of subsection 2 of section 294 of *The Municipal Act* last year. The reason for the amendment was to provide that lands that are exempt from business assessment under subsection 2 of section 9 of *The Assessment Act*, namely, lands set aside for employee parking without charge, shall nevertheless continue to be assessed at the commercial rate.

SECTION 10. Self-explanatory.

- (2) Subsection 1 does not apply to concessions operated, ^{Application to}
rented or leased in subway or rapid transit stations. ^{concessions}

7. Section 153 of *The Municipality of Metropolitan Toronto Act*, as re-enacted by section 15 of *The Municipality of Metropolitan Toronto Amendment Act, 1966*, is amended by striking out "*The Day Nurseries Act, 1966*" in the sixth line and inserting in lieu thereof "*The Day Nurseries Act*", so that the section shall read as follows: ^{R.S.O. 1960, c. 260, s. 153, (1966, c. 96, s. 15), amended}

153. For the purposes of the following Acts, the Metropolitan Corporation shall be deemed to be a city and no area municipality shall be deemed to be a municipality: ^{Liability of Metropolitan Corporation under R.S.O. 1960, cc. 14, 87, 173, 236, 425}

The Anatomy Act,

The Day Nurseries Act,

The Homemakers and Nurses Services Act,

The Mental Hospitals Act,

The War Veterans Burial Act.

8. *The Municipality of Metropolitan Toronto Act* is amended ^{R.S.O. 1960, c. 260, amended} by adding thereto the following section:

167. The Metropolitan Council may pass by-laws to provide money for the health and welfare of the resident poor not otherwise specifically provided for in this Act. ^{Special welfare assistance}

9. Subclause iii of clause a of subsection 4 of section 231 of *The Municipality of Metropolitan Toronto Act* is amended by adding at the end thereof "and the assessment of lands not liable for business assessment under subsection 2 of section 9 of *The Assessment Act*", so that the subclause shall read as follows: ^{R.S.O. 1960, c. 260, s. 231, subs. 4, cl. a, subcl. iii, amended}

(iii) the assessment for mineral lands, railway lands, other than railway lands actually in use for residential and farming purposes, and pipe lines and the assessment of telephone and telegraph companies and the assessment of lands not liable for business assessment under subsection 2 of section 9 of *The Assessment Act*, ^{R.S.O. 1960, c. 23}

10. The Metropolitan Council may make the following grants: ^{Grants}

1. \$210,000, in equal instalments of \$105,000 in 1967 and 1968, to the Toronto Aged Men's and Women's Homes (Belmont Homes) toward the cost of constructing a home.
2. \$47,250, in equal instalments of \$15,750 in 1967, 1968 and 1969, to the Jewish Home for the Aged toward the cost of constructing a home.

Maintenance
assistance
payments
re children
in Salvation
Army
Training
School

11. The Metropolitan Toronto School Board shall be deemed to have had the power to make the maintenance assistance payments made on behalf of children residing in the years 1963 to 1966 inclusive at the Salvation Army Training School at 2130 Bayview Avenue in the Township of North York as if such pupils had been resident pupils as defined in section 124 of *The Municipality of Metropolitan Toronto Act*.

R.S.O. 1960,
c. 260

Commence-
ment

12.—(1) This Act, except sections 3, 5, 6, 7, 8 and 9, comes into force on the day it receives Royal Assent.

Idem

(2) Sections 3, 5, 7, 8 and 9 shall be deemed to have come into force on the 1st day of January, 1967.

Idem

(3) Section 6 comes into force on the 1st day of January, 1968.

Short title

13. This Act may be cited as *The Municipality of Metropolitan Toronto Amendment Act, 1967*.

SECTION 11. Self-explanatory.

An Act to amend The Municipality
of Metropolitan Toronto Act

1st Reading

May 16th, 1967

2nd Reading

3rd Reading

MR. SPOONER

BILL 118

5TH SESSION, 27TH LEGISLATURE, ONTARIO
15-16 ELIZABETH II, 1967

An Act to amend The Municipality of Metropolitan Toronto Act

MR. SPOONER

(Reprinted as amended by the Committee on Legal Bills and Municipal Affairs)

EXPLANATORY NOTES

SECTION 1. Paragraph 62 of section 377 of *The Municipal Act*, which empowers councils of all municipalities to contribute towards the cost of employees of the plan of hospital care insurance provided for under *The Hospital Services Commission Act*, is made applicable to the Metropolitan Corporation.

SECTION 2. Self-explanatory.

SECTION 3. The amendment is to make it clear that the word "municipality" means local municipality.

BILL 118

1967

An Act to amend The Municipality of Metropolitan Toronto Act

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Subsection 1 of section 17 of *The Municipality of Metropolitan Toronto Act*, as amended by subsection 1 of section 1 of *The Municipality of Metropolitan Toronto Amendment Act, 1960-61* and subsection 1 of section 4 of *The Municipality of Metropolitan Toronto Amendment Act, 1961-62*, is repealed and the following substituted therefor:

R.S.O. 1960,
c. 260, s. 17,
subs. 1,
re-enacted

(1) Sections 192, 193, 195, 197, 198, 199, 244, 253, 275 to 280, paragraphs 61 and 62 of section 377 and section 406a of *The Municipal Act* apply *mutatis mutandis* to the Metropolitan Corporation.

Application
of
R.S.O. 1960,
c. 249

2. *The Municipality of Metropolitan Toronto Act* is amended by adding thereto the following section:

R.S.O. 1960,
c. 260,
amended

70a. The Metropolitan Council may contribute toward the cost to any area municipality of the separation of sanitary and storm sewers now in existence in the area municipality such amount as it deems proper not exceeding 25 per cent of the total cost thereof to the area municipality.

Contribution
towards cost
of separation
of combined
sewers

3. Clause *a* of subsection 3 of section 73a of *The Municipality of Metropolitan Toronto Act*, as enacted by section 10 of *The Municipality of Metropolitan Toronto Amendment Act, 1966*, is amended by inserting after "the" where it occurs the second time in the first line "local", so that the clause shall read as follows:

R.S.O. 1960,
c. 260,
s. 73a
(1966,
c. 96, s. 10),
subs. 3,
cl. a,
amended

- (a) the approval of the local municipality in which the land is situate, which approval may be granted upon such terms and conditions as may be agreed upon; or

R.S.O. 1960,
c. 260,
amended

4. *The Municipality of Metropolitan Toronto Act* is amended by adding thereto the following section:

Agreements
for
pedestrian
walks

91a. The Metropolitan Corporation may by by-law authorize agreements between the Metropolitan Corporation and the owners or lessees of land abutting on a highway for the construction, maintenance and use of walks for pedestrians over, across or under the highway upon such terms and conditions as may be agreed and for contributing to the whole or any part of the cost thereof and for leasing or licensing the use of untravelled portions of such walks and adjoining lands to persons for such considerations and upon such terms and conditions as may be agreed.

R.S.O. 1960,
c. 260, s. 112,
subs. 2,
amended

5. Subsection 2 of section 112 of *The Municipality of Metropolitan Toronto Act* is amended by inserting after "of" where it occurs the first time in the second line "twice", so that the subsection shall read as follows:

Commission
contribu-
tions

- (2) No contract under subsection 1 shall authorize contributions by the Commission in excess of twice the total of those made by the employees.

R.S.O. 1960,
c. 260, s. 123,
subs. 1
(1965,
c. 81, s. 4),
re-enacted

6.—(1) Subsection 1 of section 123 of *The Municipality of Metropolitan Toronto Act*, as re-enacted by section 4 of *The Municipality of Metropolitan Toronto Amendment Act, 1965*, is repealed and the following substituted therefor:

Tax
exemption
re subway
and other
rapid transit

- (1) So long as any lands and easements owned by the Metropolitan Corporation or by the Commission are used by the Commission for the purpose of a subway or other rapid transit or as car yards or shops for or in connection with such subway or other rapid transit, such lands and easements and buildings and structures thereon so owned and used are exempt from business and real property taxation, and the Commission is not liable for payments in lieu thereof under section 43 of *The Assessment Act*.

R.S.O. 1960,
c. 23

R.S.O. 1960,
c. 260, s. 123,
subs. 2
(1965,
c. 81, s. 4),
re-enacted

(2) Subsection 2 of the said section 123, as re-enacted by section 4 of *The Municipality of Metropolitan Toronto Amendment Act, 1965*, is repealed and the following substituted therefor:

SECTION 4. Self-explanatory.

SECTION 5. Section 112 deals with the Toronto Transit Commission sick benefit plan, and the proposed amendment is to make the contributions of the Toronto Transit Commission consistent with those which are authorized by the Metropolitan Corporation.

SECTION 6. The tax exemption respecting lands and easements owned by the Metropolitan Corporation for the right of way of a subway or other rapid transit is extended to apply to all lands and easements and buildings and structures thereon owned by the Metropolitan Corporation or by the Commission and used by the Commission for the purpose of a subway or other rapid transit or as car yards or shops for or in connection with a subway or rapid transit except concessions operated, rented or leased in a subway or rapid transit station.

SECTION 7. As *The Day Nurseries Act, 1966* has not yet come into force, the reference is changed to the present *The Day Nurseries Act*.

SECTION 8. The proposed section is to give to the Metropolitan Corporation the same powers that were formerly had by the area municipalities in the provision of welfare in certain special instances.

SECTION 9. The same amendment that is being proposed to sub-clause iii was made to clause *c* of subsection 2 of section 294 of *The Municipal Act* last year. The reason for the amendment was to provide that lands that are exempt from business assessment under subsection 2 of section 9 of *The Assessment Act*, namely, lands set aside for employee parking without charge, shall nevertheless continue to be assessed at the commercial rate.

SECTION 10. Self-explanatory.

- (2) Subsection 1 does not apply to concessions operated, ^{Application to} rented or leased in subway or rapid transit stations. ^{concessions}

7. Section 153 of *The Municipality of Metropolitan Toronto Act*, as re-enacted by section 15 of *The Municipality of Metropolitan Toronto Amendment Act, 1966*, is amended by striking out "*The Day Nurseries Act, 1966*" in the sixth line and inserting in lieu thereof "*The Day Nurseries Act*", so that the section shall read as follows: R.S.O. 1960, c. 260, s. 153, (1966, c. 96, s. 15), amended

153. For the purposes of the following Acts, the Metropolitan Corporation shall be deemed to be a city and no area municipality shall be deemed to be a municipality: Liability of Metropolitan Corporation under R.S.O. 1960, cc. 14, 87, 173, 236, 425

The Anatomy Act,

The Day Nurseries Act,

The Homemakers and Nurses Services Act,

The Mental Hospitals Act,

The War Veterans Burial Act.

8. *The Municipality of Metropolitan Toronto Act* is amended by adding thereto the following section: R.S.O. 1960, c. 260, amended

167. The Metropolitan Council may pass by-laws to provide money for the health and welfare of the resident poor not otherwise specifically provided for in this Act. Special welfare assistance

9. Subclause iii of clause *a* of subsection 4 of section 231 of *The Municipality of Metropolitan Toronto Act* is amended by adding at the end thereof "and the assessment of lands not liable for business assessment under subsection 2 of section 9 of *The Assessment Act*", so that the subclause shall read as follows: R.S.O. 1960, c. 260, s. 231, subs. 4, cl. a, subcl. iii, amended

(iii) the assessment for mineral lands, railway lands, other than railway lands actually in use for residential and farming purposes, and pipe lines and the assessment of telephone and telegraph companies and the assessment of lands not liable for business assessment under subsection 2 of section 9 of *The Assessment Act*, R.S.O. 1960, c. 23

10. The Metropolitan Council may make the following grants: Grants

1. \$210,000, in equal instalments of \$105,000 in 1967 and 1968, to the Toronto Aged Men's and Women's Homes (Belmont Homes) toward the cost of constructing a home.
2. \$47,250, in equal instalments of \$15,750 in 1967, 1968 and 1969, to the Jewish Home for the Aged toward the cost of constructing a home.

Maintenance
assistance
payments
re children
in Salvation
Army
Training
School

R.S.O. 1960,
c. 260

Commence-
ment

Idem

Idem

Short title

11. The Metropolitan Toronto School Board shall be deemed to have had the power to make the maintenance assistance payments made on behalf of children residing in the years 1963 to 1966 inclusive at the Salvation Army Training School at 2130 Bayview Avenue in the Township of North York as if such pupils had been resident pupils as defined in section 124 of *The Municipality of Metropolitan Toronto Act*.

12.—(1) This Act, except sections 3, 5, 6, 7, 8 and 9, comes into force on the day it receives Royal Assent.

(2) Sections 3, 5, 7, 8 and 9 shall be deemed to have come into force on the 1st day of January, 1967.

(3) Section 6 comes into force on the 1st day of January, 1968.

13. This Act may be cited as *The Municipality of Metropolitan Toronto Amendment Act, 1967*.

SECTION 11. Self-explanatory.

An Act to amend The Municipality
of Metropolitan Toronto Act

1st Reading

May 16th, 1967

2nd Reading

May 26th, 1967

3rd Reading

MR. SPOONER

*(Reprinted as amended by the Committee
on Legal Bills and Municipal Affairs)*

BILL 118

5TH SESSION, 27TH LEGISLATURE, ONTARIO
15-16 ELIZABETH II, 1967

An Act to amend The Municipality of Metropolitan Toronto Act

MR. SPOONER

BILL 118 1967

An Act to amend The Municipality of Metropolitan Toronto Act

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Subsection 1 of section 17 of *The Municipality of Metropolitan Toronto Act*, as amended by subsection 1 of section 1 of *The Municipality of Metropolitan Toronto Amendment Act, 1960-61* and subsection 1 of section 4 of *The Municipality of Metropolitan Toronto Amendment Act, 1961-62*, is repealed and the following substituted therefor:

R.S.O. 1960,
c. 260, s. 17,
subs. 1,
re-enacted

(1) Sections 192, 193, 195, 197, 198, 199, 244, 253, 275 to 280, paragraphs 61 and 62 of section 377 and section 406a of *The Municipal Act* apply *mutatis mutandis* to the Metropolitan Corporation.

Application
of
R.S.O. 1960,
c. 249

2. *The Municipality of Metropolitan Toronto Act* is amended by adding thereto the following section:

R.S.O. 1960,
c. 260,
amended

70a. The Metropolitan Council may contribute toward the cost to any area municipality of the separation of sanitary and storm sewers now in existence in the area municipality such amount as it deems proper not exceeding 25 per cent of the total cost thereof to the area municipality.

Contribution
towards cost
of separation
of combined
sewers

3. Clause a of subsection 3 of section 73a of *The Municipality of Metropolitan Toronto Act*, as enacted by section 10 of *The Municipality of Metropolitan Toronto Amendment Act, 1966*, is amended by inserting after "the" where it occurs the second time in the first line "local", so that the clause shall read as follows:

R.S.O. 1960,
c. 260,
s. 73a
(1966,
c. 96, s. 10),
subs. 3,
cl. a,
amended

- (a) the approval of the local municipality in which the land is situate, which approval may be granted upon such terms and conditions as may be agreed upon; or

R.S.O. 1960, c. 260, amended **4.** *The Municipality of Metropolitan Toronto Act* is amended by adding thereto the following section:

Agreements
for
pedestrian
walks

- 91a. The Metropolitan Corporation may by by-law authorize agreements between the Metropolitan Corporation and the owners or lessees of land abutting on a highway for the construction, maintenance and use of walks for pedestrians over, across or under the highway upon such terms and conditions as may be agreed and for contributing to the whole or any part of the cost thereof and for leasing or licensing the use of untravelled portions of such walks and adjoining lands to persons for such considerations and upon such terms and conditions as may be agreed.

R.S.O. 1960, c. 260, s. 112, subs. 2, amended **5.** Subsection 2 of section 112 of *The Municipality of Metropolitan Toronto Act* is amended by inserting after "of" where it occurs the first time in the second line "twice", so that the subsection shall read as follows:

Commission
contribu-
tions

- (2) No contract under subsection 1 shall authorize contributions by the Commission in excess of twice the total of those made by the employees.

R.S.O. 1960, c. 260, s. 123, subs. 1 (1965, c. 81, s. 4), re-enacted **6.**—(1) Subsection 1 of section 123 of *The Municipality of Metropolitan Toronto Act*, as re-enacted by section 4 of *The Municipality of Metropolitan Toronto Amendment Act, 1965*, is repealed and the following substituted therefor:

Tax
exemption
re subway
and other
rapid transit

- (1) So long as any lands and easements owned by the Metropolitan Corporation or by the Commission are used by the Commission for the purpose of a subway or other rapid transit or as car yards or shops for or in connection with such subway or other rapid transit, such lands and easements and buildings and structures thereon so owned and used are exempt from business and real property taxation, and the Commission is not liable for payments in lieu thereof under section 43 of *The Assessment Act*.

R.S.O. 1960, c. 23

R.S.O. 1960, c. 260, s. 123, subs. 2 (1965, c. 81, s. 4), re-enacted (2) Subsection 2 of the said section 123, as re-enacted by section 4 of *The Municipality of Metropolitan Toronto Amendment Act, 1965*, is repealed and the following substituted therefor:

- (2) Subsection 1 does not apply to concessions operated, ^{Application to} rented or leased in subway or rapid transit stations. ^{concessions}

7. Section 153 of *The Municipality of Metropolitan Toronto Act*, as re-enacted by section 15 of *The Municipality of Metropolitan Toronto Amendment Act, 1966*, is amended by striking out "*The Day Nurseries Act, 1966*" in the sixth line and inserting in lieu thereof "*The Day Nurseries Act*", so that the section shall read as follows:

153. For the purposes of the following Acts, the Metropolitan Corporation shall be deemed to be a city and no area municipality shall be deemed to be a municipality:

The Anatomy Act,

The Day Nurseries Act,

The Homemakers and Nurses Services Act,

The Mental Hospitals Act,

The War Veterans Burial Act.

Liability of
Metro-
politan
Corporation
under
R.S.O. 1960,
cc. 14, 87,
173, 236, 425

8. *The Municipality of Metropolitan Toronto Act* is amended by adding thereto the following section:

167. The Metropolitan Council may pass by-laws to provide money for the health and welfare of the resident poor not otherwise specifically provided for in this Act.

Special
welfare
assistance

9. Subclause iii of clause a of subsection 4 of section 231 of *The Municipality of Metropolitan Toronto Act* is amended by adding at the end thereof "and the assessment of lands not liable for business assessment under subsection 2 of section 9 of *The Assessment Act*", so that the subclause shall read as follows:

R.S.O. 1960,
c. 260, s. 231,
subs. 4, cl. a,
subcl. iii,
amended

- (iii) the assessment for mineral lands, railway lands, other than railway lands actually in use for residential and farming purposes, and pipe lines and the assessment of telephone and telegraph companies and the assessment of lands not liable for business assessment under subsection 2 of section 9 of *The Assessment Act*,

R.S.O. 1960,
c. 23

10. The Metropolitan Council may make the following grants:

Grants

1. \$210,000, in equal instalments of \$105,000 in 1967 and 1968, to the Toronto Aged Men's and Women's Homes (Belmont Homes) toward the cost of constructing a home.
2. \$47,250, in equal instalments of \$15,750 in 1967, 1968 and 1969, to the Jewish Home for the Aged toward the cost of constructing a home.

Maintenance
assistance
payments
re children
in Salvation
Army
Training
School

R.S.O. 1960,
c. 260

Commence-
ment

Idem

Idem

Short title

11. The Metropolitan Toronto School Board shall be deemed to have had the power to make the maintenance assistance payments made on behalf of children residing in the years 1963 to 1966 inclusive at the Salvation Army Training School at 2130 Bayview Avenue in the Township of North York as if such pupils had been resident pupils as defined in section 124 of *The Municipality of Metropolitan Toronto Act*.

12.—(1) This Act, except sections 3, 5, 6, 7, 8 and 9, comes into force on the day it receives Royal Assent.

(2) Sections 3, 5, 7, 8 and 9 shall be deemed to have come into force on the 1st day of January, 1967.

(3) Section 6 comes into force on the 1st day of January, 1968.

13. This Act may be cited as *The Municipality of Metropolitan Toronto Amendment Act, 1967*.

An Act to amend The Municipality
of Metropolitan Toronto Act

1st Reading

May 16th, 1967

2nd Reading

May 26th, 1967

3rd Reading

June 12th, 1967

MR. SPOONER

BILL 119

**5TH SESSION, 27TH LEGISLATURE, ONTARIO
15-16 ELIZABETH II, 1967**

An Act to amend The Highway Improvement Act

MR. GOMME

EXPLANATORY NOTES

SECTION 1—Subsection 1. The approval of the Minister and the maximum term for debentures are deleted.

BILL 119 *Amendment to the Highway Improvement Act* 1967

An Act to amend The Highway Improvement Act

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1.—(1) Subsection 1 of section 22 of *The Highway Improvement Act*, as re-enacted by subsection 1 of section 4 of *The Highway Improvement Amendment Act, 1962-63*, is amended by striking out "payable in such period as the Minister approves but not exceeding twenty years from the time or times when the debentures are issued" in the twentieth, twenty-first and twenty-second lines, so that the subsection shall read as follows:

R.S.O. 1960,
c. 171, s. 22,
subs. 1
(1962-63,
c. 55, s. 4,
subs. 1),
amended

- (1) Where it is deemed by the Minister that a highway, ^{Connecting links, extensions}
- (a) that is under the jurisdiction and control of a city, town or village; or
 - (b) that is in a city, town or village and under the control of the county; or
 - (c) that was under the jurisdiction of the Department but has reverted or been transferred to a township and is an essential and direct connection between parts of the King's Highway,

should be constructed as a connecting link between parts of the King's Highway or as an extension of the King's Highway, the Lieutenant Governor in Council may designate such highway as a connecting link or as an extension, as the case may be, to be constructed by the city, town, village, township or county, and the council of the city, town, village, township or county may pass by-laws for issuing and may issue debentures under *The Municipal Act* for an amount sufficient to pay the municipality's

R.S.O. 1960,
c. 249

share of the cost of the construction of the highway, but, in the case of a city, town, village or township, it is not necessary for the council to obtain the assent of the electors to any such by-laws for the issue of debentures or to observe the formalities in relation thereto prescribed by *The Municipal Act*.

R.S.O. 1960,
c. 171, s. 22,
subs. 6
(1962-63,
c. 55, s. 4,
subs. 4),
cls. a-c,
re-enacted

(2) Clauses *a*, *b* and *c* of subsection 6 of the said section 22, as re-enacted by subsection 4 of section 4 of *The Highway Improvement Amendment Act*, 1962-63, are repealed and the following substituted therefor:

- (a) where the highway is in a town, not being a separated town, having a population of not more than 2,500 or in a village or township having a population of not more than 2,500, a sum equal to the cost of the construction of the highway and of the maintenance of the roadway;
- (b) where the highway is in a town, not being a separated town, having a population of more than 2,500 or in a village or township having a population of more than 2,500, a sum equal to 90 per cent of the cost of the construction of the highway and of the maintenance of the roadway; and
- (c) where the highway is in a city or separated town, a sum equal to 75 per cent of the cost of the construction of the highway.

R.S.O. 1960,
c. 171, s. 22,
subs. 8
(1962-63,
c. 55, s. 4,
subs. 6),
amended

(3) Subsection 8 of the said section 22, as re-enacted by subsection 6 of section 4 of *The Highway Improvement Amendment Act*, 1962-63, is amended by striking out "or additional widths of roadways" in the third and fourth lines, so that the subsection, exclusive of the clauses, shall read as follows:

Idem,
additional
roadways

- (8) An agreement under subsection 3, 4 or 5 may provide for the construction and maintenance or for the construction, as the case may be, of roadways necessary to permit the proper interchange of traffic at intersections of the highway designated under subsection 1 with any other highway, and in that case the agreement may provide that a proportion of the cost of the construction and maintenance or construction, as the case may be, of the work shall be paid out of the moneys appropriated therefor by the Legislature and that the remainder shall be borne and paid by the city, town, village, township or county, but the proportion to be paid out of the moneys appropriated therefor by the Legislature shall not exceed,

Subsection 2. Restrictions on widths of roadways are removed with respect to the apportionment of costs of connecting links.

Subsection 3. The amendment is complementary to the amendments to subsection 6.

SECTION 2. Subsections 1 and 2 are re-enacted to clarify the power of the Minister to construct, maintain, operate and control rest, service and other areas for the use of persons using the highways. Subsection 4 authorizes municipalities to share in the cost of constructing and maintaining the King's Highway within the municipality to a higher standard than is required by the Minister.

SECTION 3. Section 59 is revised to enlarge the scope of agreements between local municipalities and the county or suburban roads commission with respect to county or suburban roads.

2. Section 27 of *The Highway Improvement Act* is repealed and the following substituted therefor: R.S.O. 1960,
c. 171, s. 27,
re-enacted

- 27.—(1) The Minister may construct, maintain and operate such works as he deems necessary or expedient for the purposes of this Part, including rest, service and other areas for the use of persons using the highway, and he and any person, including a municipality or local board thereof, may enter into agreements with respect to the construction, maintenance or operation of any of such works. Construction of works
- (2) The Lieutenant Governor in Council may make regulations prohibiting or regulating the use of any rest, service or other area or any class or classes thereof constructed, maintained or operated under subsection 1, but no such regulation shall affect the operation of any agreement entered into by the Crown as represented by the Minister with respect to a service area except to the extent that the other party to the agreement consents thereto. Regulations
- (3) Every person who contravenes any provision of a regulation made under subsection 2 is guilty of an offence and on summary conviction is liable to a fine of not less than \$5 and not more than \$50. Offence
- (4) The Minister and any municipality may enter into agreements for the construction, maintenance or operation of any part of the King's Highway located within the municipality to a higher standard than the Minister deems necessary or expedient for the purposes of this Part. Agreements for construction, etc., of highway to higher standard

3. Section 59 of *The Highway Improvement Act*, as amended by section 9 of *The Highway Improvement Amendment Act, 1962-63*, is repealed and the following substituted therefor: R.S.O. 1960,
c. 171, s. 59,
re-enacted

- 59.—(1) A local municipality that is not separated from the county and the county or the suburban roads commission may enter into an agreement in writing providing for the construction, widening or maintenance of the whole or any part of any county or suburban road in the local municipality, or for the construction or maintenance of special works along or across such road. Agreement between local municipality and county for extra work
- (2) The agreement shall specify the party that is to do the work and the manner in which and the time or times at which the other party is to pay its share of Either party may do work; consent of Minister

the expenditure made by the party doing the work, but no work shall be done until the agreement has been approved in writing by the Minister.

Acquisition
of land
by local
municipality

R.S.O. 1960,
c. 249

- (3) Where the agreement provides that the land required for the widening of the road is to be acquired by the local municipality, the local municipality, notwithstanding section 414 of *The Municipal Act*, may pass by-laws for widening the road and acquiring by purchase or otherwise or expropriating such land, and the provisions of *The Municipal Act* as to the acquiring, occupying and taking of land for municipal purposes apply to the acquiring, occupying or taking of land under any such by-law.

Transfer
to county

- (4) The local municipality shall convey the land so acquired to the county, and thereupon the land becomes a part of the road and is included in the county road system and, where the road has been designated and approved as a suburban road under Part VIII, the land becomes part of the suburban road.

Apportion-
ment of
cost of
construction

- (5) The agreement shall provide the proportion or proportions in which the cost of the work or parts thereof is or are to be borne by the respective parties, but need not require that the cost of all parts be shared or that the cost sharing of various parts of the work be in the same proportion, provided that the local municipality shall be responsible for the entire cost of,

(a) installing sanitary sewers except to the extent that they replace existing facilities;

(b) maintaining sanitary sewers;

(c) extra capacity in storm sewers required for drainage from land other than land within the right-of-way of the road or the road as widened and which was not accommodated on the road prior to the agreement; and

(d) maintaining sidewalks.

Failure
to agree

- (6) Where the local municipality and the county or the suburban roads commission are unable to agree upon a term or condition of an agreement authorized by this section or where either the local municipality and the county or the suburban roads commission refuses

SECTION 4. The latest provincial equalizing factor applied in determining the limit of the contribution by a city or town in respect of suburban roads is replaced by a formula determined by the Minister.

to enter into such an agreement, the Minister may prescribe such term or condition or may require such an agreement to be entered into, and such agreement may be enforced in the same manner as an agreement executed by the local municipality and by the county or the suburban roads commission.

- (7) The local municipality may pass by-laws to raise by debentures such sum as may be necessary to meet its share of the cost under an agreement entered into under this section, and it is not necessary to obtain the assent of the electors to any such by-law or to observe the other formalities in relation thereto prescribed by *The Municipal Act*, or such share may be assessed under *The Local Improvement Act* according to the report of an engineer.

Debentures
for local
municipality's
share

R.S.O. 1960,
c. 249, 223

- (8) Where the Minister has approved an agreement under this section, there may be included in the statement of expenditures on roads under the jurisdiction of the local municipality, submitted to the Minister under this Act for the purpose of determining the grant payable to the local municipality out of moneys appropriated therefor by the Legislature, those costs incurred by the local municipality under the agreement that, if incurred by the local municipality in respect of roads under its jurisdiction and control, could be included in such statement.

Subsidy to
local
municipality

- (9) Where the agreement provides that the pavement or a part thereof is to be maintained and kept in repair by the local municipality and the local municipality makes default in so doing and the county or the suburban roads commission becomes liable under section 443 of *The Municipal Act* for damage suffered by or occasioned to any person in consequence of such default, the county or the suburban roads commission is entitled to the remedy over against the local municipality provided for by section 450 of *The Municipal Act*.

Remedy
over

R.S.O. 1960,
c. 249

4.—(1) Subsection 3 of section 71 of *The Highway Improvement Act*, as amended by subsection 1 of section 3 of *The Highway Improvement Amendment Act, 1964*, is repealed and the following substituted therefor:

R.S.O. 1960,
c. 171, s. 71,
subs. 3,
re-enacted

- (3) The amount to be provided by the city or separated town in any year shall not exceed the proceeds of a rate of one-half mill on the dollar of the value of the rateable property of the city or separated town

Limit of
contribu-
tions by
city or
town

according to the assessment roll on which the rate of taxation for the preceding year was levied as adjusted by the Minister, unless in any year by agreement with the county council the council of the city or separated town by by-law appropriates for work on suburban roads a sum not exceeding the proceeds of a rate of two mills on the dollar of the value of such rateable property as adjusted by the Minister, but such by-law shall not be passed until the county council has appropriated an equal amount for the like purposes to be expended in the same year.

R.S.O. 1960, c. 171, s. 71, subs. 4 (1964, c. 37, s. 3, subs. 2), repealed (2) Subsection 4 of the said section 71, as enacted by subsection 2 of section 3 of *The Highway Improvement Amendment Act, 1964*, is repealed.

R.S.O. 1960, c. 171, s. 78, subs. 3, re-enacted 5. Subsection 3 of section 78 of *The Highway Improvement Act* is repealed and the following substituted therefor:

Roads in
Indian
reserves

- (3) The Minister may arrange with the Government of Canada for the appointment of a road superintendent to supervise the construction and maintenance, in accordance with the requirements of the Minister, of the roads in any township or part of a township constituting an Indian reserve, and, where such an arrangement has been made, the Government of Canada or, with the approval of the Government of Canada, the Band Council of the reserve may apply under section 79 for the subsidy authorized by this Part, and this Part, except section 75, applies *mutatis mutandis* thereto.

R.S.O. 1960, c. 171, s. 91a (1962-63, c. 55, s. 17), subs. 1, cl. b, re-enacted 6. Clause b of subsection 1 of section 91a of *The Highway Improvement Act*, as enacted by section 17 of *The Highway Improvement Amendment Act, 1962-63*, is repealed and the following substituted therefor:

(b) "subway" means those parts of the rapid transit system of the Toronto Transit Commission known as,

(i) the Bloor-Danforth Subway, and

(ii) the extension of the Yonge Street Subway from Eglinton Avenue to Sheppard Avenue.

R.S.O. 1960, c. 171, s. 92, re-enacted 7. Section 92 of *The Highway Improvement Act* is repealed and the following substituted therefor:

SECTION 5. The amendment will permit the Minister and the Government of Canada to make arrangements for the appointment of any person as a road superintendent and will also permit councils of Indian bands, with the approval of the Government of Canada, to apply directly to the Minister for subsidy on road work.

SECTION 6. The subway grant provisions are extended to apply to the Yonge Street Subway extension.

SECTION 7. At present, a municipality, with the approval of the Municipal Board, may designate new roads established under section 459 of *The Municipal Act* as controlled-access roads. The section, as re-enacted, requires the approval of the Minister as well as the Board and extends the application to all roads under the jurisdiction of the council.

92. Subject to the approval of the Minister and the ^{Controlled-}
Board, a municipality may by by-law designate any ^{access road,}
road under the jurisdiction of the council of the ^{designation}
municipality as a controlled-access road.

8.—(1) This Act, except section 4, comes into force on the ^{Commence-}
day it receives Royal Assent. ^{ment}

(2) Section 4 comes into force on the 1st day of January, ^{Idem}
1968.

9. This Act may be cited as *The Highway Improvement* ^{Short title}
Amendment Act, 1967.

An Act to amend
The Highway Improvement Act

1st Reading

May 16th, 1967

2nd Reading

3rd Reading

MR. GOMME

BILL 119

5TH SESSION, 27TH LEGISLATURE, ONTARIO
15-16 ELIZABETH II, 1967

An Act to amend The Highway Improvement Act

MR. GOMME

An Act to amend The Highway Improvement Act

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1.—(1) Subsection 1 of section 22 of *The Highway Improvement Act*, as re-enacted by subsection 1 of section 4 of *The Highway Improvement Amendment Act, 1962-63*, is amended by striking out “payable in such period as the Minister approves but not exceeding twenty years from the time or times when the debentures are issued” in the twentieth, twenty-first and twenty-second lines, so that the subsection shall read as follows:

R.S.O. 1960,
c. 171, s. 22,
subs. 1
(1962-63,
c. 55, s. 4,
subs. 1),
amended

- (1) Where it is deemed by the Minister that a highway, ^{Connecting links, extensions}
- (a) that is under the jurisdiction and control of a city, town or village; or
 - (b) that is in a city, town or village and under the control of the county; or
 - (c) that was under the jurisdiction of the Department but has reverted or been transferred to a township and is an essential and direct connection between parts of the King's Highway,

should be constructed as a connecting link between parts of the King's Highway or as an extension of the King's Highway, the Lieutenant Governor in Council may designate such highway as a connecting link or as an extension, as the case may be, to be constructed by the city, town, village, township or county, and the council of the city, town, village, township or county may pass by-laws for issuing and may issue debentures under *The Municipal Act* for an amount sufficient to pay the municipality's

R.S.O. 1960,
c. 249

share of the cost of the construction of the highway, but, in the case of a city, town, village or township, it is not necessary for the council to obtain the assent of the electors to any such by-laws for the issue of debentures or to observe the formalities in relation thereto prescribed by *The Municipal Act*.

R.S.O. 1960,
c. 171, s. 22,
subs. 6
(1962-63,
c. 55, s. 4,
subs. 4),
cls. a-c,
re-enacted

(2) Clauses *a, b* and *c* of subsection 6 of the said section 22, as re-enacted by subsection 4 of section 4 of *The Highway Improvement Amendment Act, 1962-63*, are repealed and the following substituted therefor:

- (a) where the highway is in a town, not being a separated town, having a population of not more than 2,500 or in a village or township having a population of not more than 2,500, a sum equal to the cost of the construction of the highway and of the maintenance of the roadway;
- (b) where the highway is in a town, not being a separated town, having a population of more than 2,500 or in a village or township having a population of more than 2,500, a sum equal to 90 per cent of the cost of the construction of the highway and of the maintenance of the roadway; and
- (c) where the highway is in a city or separated town, a sum equal to 75 per cent of the cost of the construction of the highway.

R.S.O. 1960,
c. 171, s. 22,
subs. 8
(1962-63,
c. 55, s. 4,
subs. 6),
amended

(3) Subsection 8 of the said section 22, as re-enacted by subsection 6 of section 4 of *The Highway Improvement Amendment Act, 1962-63*, is amended by striking out "or additional widths of roadways" in the third and fourth lines, so that the subsection, exclusive of the clauses, shall read as follows:

Idem,
additional
roadways

- (8) An agreement under subsection 3, 4 or 5 may provide for the construction and maintenance or for the construction, as the case may be, of roadways necessary to permit the proper interchange of traffic at inter-sections of the highway designated under subsection 1 with any other highway, and in that case the agreement may provide that a proportion of the cost of the construction and maintenance or construction, as the case may be, of the work shall be paid out of the moneys appropriated therefor by the Legislature and that the remainder shall be borne and paid by the city, town, village, township or county, but the proportion to be paid out of the moneys appropriated therefor by the Legislature shall not exceed,

2. Section 27 of *The Highway Improvement Act* is repealed and the following substituted therefor: R.S.O. 1960,
c. 171, s. 27,
re-enacted

- 27.—(1) The Minister may construct, maintain and operate such works as he deems necessary or expedient for the purposes of this Part, including rest, service and other areas for the use of persons using the highway, and he and any person, including a municipality or local board thereof, may enter into agreements with respect to the construction, maintenance or operation of any of such works. Construction of works
- (2) The Lieutenant Governor in Council may make regulations prohibiting or regulating the use of any rest, service or other area or any class or classes thereof constructed, maintained or operated under subsection 1, but no such regulation shall affect the operation of any agreement entered into by the Crown as represented by the Minister with respect to a service area except to the extent that the other party to the agreement consents thereto. Regulations
- (3) Every person who contravenes any provision of a regulation made under subsection 2 is guilty of an offence and on summary conviction is liable to a fine of not less than \$5 and not more than \$50. Offence
- (4) The Minister and any municipality may enter into agreements for the construction, maintenance or operation of any part of the King's Highway located within the municipality to a higher standard than the Minister deems necessary or expedient for the purposes of this Part. Agreements for construction, etc., of highway to higher standard

3. Section 59 of *The Highway Improvement Act*, as amended by section 9 of *The Highway Improvement Amendment Act, 1962-63*, is repealed and the following substituted therefor: R.S.O. 1960,
c. 171, s. 59,
re-enacted

- 59.—(1) A local municipality that is not separated from the county and the county or the suburban roads commission may enter into an agreement in writing providing for the construction, widening or maintenance of the whole or any part of any county or suburban road in the local municipality, or for the construction or maintenance of special works along or across such road. Agreement between local municipality and county for extra work
- (2) The agreement shall specify the party that is to do the work and the manner in which and the time or times at which the other party is to pay its share of Either party may do work; consent of Minister

the expenditure made by the party doing the work, but no work shall be done until the agreement has been approved in writing by the Minister.

Acquisition
of land
by local
municipality

R.S.O. 1960,
c. 249

- (3) Where the agreement provides that the land required for the widening of the road is to be acquired by the local municipality, the local municipality, notwithstanding section 414 of *The Municipal Act*, may pass by-laws for widening the road and acquiring by purchase or otherwise or expropriating such land, and the provisions of *The Municipal Act* as to the acquiring, occupying and taking of land for municipal purposes apply to the acquiring, occupying or taking of land under any such by-law.

Transfer
to county

- (4) The local municipality shall convey the land so acquired to the county, and thereupon the land becomes a part of the road and is included in the county road system and, where the road has been designated and approved as a suburban road under Part VIII, the land becomes part of the suburban road.

Apportion-
ment of
cost of
construction

- (5) The agreement shall provide the proportion or proportions in which the cost of the work or parts thereof is or are to be borne by the respective parties, but need not require that the cost of all parts be shared or that the cost sharing of various parts of the work be in the same proportion, provided that the local municipality shall be responsible for the entire cost of,

(a) installing sanitary sewers except to the extent that they replace existing facilities;

(b) maintaining sanitary sewers;

(c) extra capacity in storm sewers required for drainage from land other than land within the right-of-way of the road or the road as widened and which was not accommodated on the road prior to the agreement; and

(d) maintaining sidewalks.

Failure
to agree

- (6) Where the local municipality and the county or the suburban roads commission are unable to agree upon a term or condition of an agreement authorized by this section or where either the local municipality and the county or the suburban roads commission refuses

to enter into such an agreement, the Minister may prescribe such term or condition or may require such an agreement to be entered into, and such agreement may be enforced in the same manner as an agreement executed by the local municipality and by the county or the suburban roads commission.

- (7) The local municipality may pass by-laws to raise by debentures such sum as may be necessary to meet its share of the cost under an agreement entered into under this section, and it is not necessary to obtain the assent of the electors to any such by-law or to observe the other formalities in relation thereto prescribed by *The Municipal Act*, or such share may be assessed under *The Local Improvement Act* according to the report of an engineer.

Debentures
for local
municipality's
share

R.S.O. 1960,
cc. 249, 223

- (8) Where the Minister has approved an agreement under this section, there may be included in the statement of expenditures on roads under the jurisdiction of the local municipality, submitted to the Minister under this Act for the purpose of determining the grant payable to the local municipality out of moneys appropriated therefor by the Legislature, those costs incurred by the local municipality under the agreement that, if incurred by the local municipality in respect of roads under its jurisdiction and control, could be included in such statement.

Subsidy to
local
municipality

- (9) Where the agreement provides that the pavement or a part thereof is to be maintained and kept in repair by the local municipality and the local municipality makes default in so doing and the county or the suburban roads commission becomes liable under section 443 of *The Municipal Act* for damage suffered by or occasioned to any person in consequence of such default, the county or the suburban roads commission is entitled to the remedy over against the local municipality provided for by section 450 of *The Municipal Act*.

Remedy
over

R.S.O. 1960,
c. 249

4.—(1) Subsection 3 of section 71 of *The Highway Improvement Act*, as amended by subsection 1 of section 3 of *The Highway Improvement Amendment Act, 1964*, is repealed and the following substituted therefor:

R.S.O. 1960,
c. 171, s. 71,
subs. 3,
re-enacted

- (3) The amount to be provided by the city or separated town in any year shall not exceed the proceeds of a rate of one-half mill on the dollar of the value of the rateable property of the city or separated town

Limit of
contribu-
tions by
city or
town

according to the assessment roll on which the rate of taxation for the preceding year was levied as adjusted by the Minister, unless in any year by agreement with the county council the council of the city or separated town by by-law appropriates for work on suburban roads a sum not exceeding the proceeds of a rate of two mills on the dollar of the value of such rateable property as adjusted by the Minister, but such by-law shall not be passed until the county council has appropriated an equal amount for the like purposes to be expended in the same year.

R.S.O. 1960,
c. 171, s. 71,
subs. 4
(1964,
c. 37, s. 3,
subs. 2),
repealed

(2) Subsection 4 of the said section 71, as enacted by subsection 2 of section 3 of *The Highway Improvement Amendment Act, 1964*, is repealed.

R.S.O. 1960,
c. 171, s. 78,
subs. 3,
re-enacted

5. Subsection 3 of section 78 of *The Highway Improvement Act* is repealed and the following substituted therefor:

Roads in
Indian
reserves

(3) The Minister may arrange with the Government of Canada for the appointment of a road superintendent to supervise the construction and maintenance, in accordance with the requirements of the Minister, of the roads in any township or part of a township constituting an Indian reserve, and, where such an arrangement has been made, the Government of Canada or, with the approval of the Government of Canada, the Band Council of the reserve may apply under section 79 for the subsidy authorized by this Part, and this Part, except section 75, applies *mutatis mutandis* thereto.

R.S.O. 1960,
c. 171, s. 91a
(1962-63,
c. 56, s. 17),
subs. 1, cl. b,
re-enacted

6. Clause *b* of subsection 1 of section 91a of *The Highway Improvement Act*, as enacted by section 17 of *The Highway Improvement Amendment Act, 1962-63*, is repealed and the following substituted therefor:

(b) "subway" means those parts of the rapid transit system of the Toronto Transit Commission known as,

(i) the Bloor-Danforth Subway, and

(ii) the extension of the Yonge Street Subway from Eglinton Avenue to Sheppard Avenue.

R.S.O. 1960,
c. 171, s. 92,
re-enacted

7. Section 92 of *The Highway Improvement Act* is repealed and the following substituted therefor:

92. Subject to the approval of the Minister and the ^{Controlled-}
Board, a municipality may by by-law designate any ^{access road,}
road under the jurisdiction of the council of the ^{designation}
municipality as a controlled-access road.

8.—(1) This Act, except section 4, comes into force on the ^{Commence-}
day it receives Royal Assent. ^{ment}

(2) Section 4 comes into force on the 1st day of January, ^{Idem}
1968.

9. This Act may be cited as *The Highway Improvement* ^{Short title}
Amendment Act, 1967.

An Act to amend
The Highway Improvement Act

1st Reading

May 16th, 1967

2nd Reading

May 26th, 1967

3rd Reading

June 12th, 1967

MR. GOMME

BILL 120

5TH SESSION, 27TH LEGISLATURE, ONTARIO
15-16 ELIZABETH II, 1967

The Anatomy Act, 1967

MR. WISHART

THE ANATOMY ACT, 1911

THE ANATOMY ACT, 1911

EXPLANATORY NOTE

The Anatomy Act is revised to bring it up to date. The last such revision was in 1911.

THE ANATOMY ACT, 1911

BILL 120

1967

The Anatomy Act, 1967

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. In this Act,

Interpre-
tation

- (a) "disposition" means any disposition that may be made of a body under *The Cemeteries Act*, and "dispose" has a corresponding meaning; R.S.O. 1960,
c. 47
- (b) "general inspector" means the general inspector of anatomy;
- (c) "local inspector" means a local inspector of anatomy having jurisdiction, and includes the general inspector;
- (d) "private morgue" means a place where bodies are customarily retained before their disposition, other than a public morgue;
- (e) "public morgue" means a place under the control and management of a municipal corporation where bodies are retained before their disposition;
- (f) "regulations" means the regulations made under this Act;
- (g) "school" means an institution designated as a school by the regulations. R.S.O. 1960, c. 14, s. 1, *amended*.

2.—(1) The Lieutenant Governor in Council may appoint a general inspector of anatomy who shall perform such duties as are assigned to him by this or any other Act, and may perform any of the duties of a local inspector anywhere in Ontario. General
inspector

(2) The Lieutenant Governor in Council may appoint persons who are coroners as local inspectors of anatomy for such Local
inspectors

areas in Ontario as is deemed advisable, and each local inspector shall perform such duties as are assigned to him under this or any other Act, in the area in his jurisdiction, under the supervision and direction of the general inspector. R.S.O. 1960, c. 14, s. 2, *amended*.

Termination of office (3) When a local inspector ceases to be a coroner, his appointment as local inspector is terminated.

Fees (4) The general inspector and local inspectors are entitled to the fees required to be paid to them under this Act. *New*.

Notice to local inspector, etc.
R.S.O. 1960, c. 69 3.—(1) Subject to *The Coroners Act*, the person having possession of the body of a deceased person that,

(a) is unclaimed by a relative or *bona fide* friend within twenty-four hours after the death; and

1962-63,
c. 59

(b) has not been or will not be used for a purpose authorized under *The Human Tissue Act, 1962-63*,

shall notify the local inspector and shall furnish the local inspector with such information respecting the deceased person as is within the knowledge of the notifier and as the local inspector requires.

Bodies under control of local inspector (2) A body of which the local inspector is notified under subsection 1 shall be deemed to be under his control for the purposes of this Act. R.S.O. 1960, c. 14, s. 3 (1), *part, amended*.

Claiming bodies (3) A body, while under the control of the local inspector, may be claimed by a relative for disposition or by any other person who gives a *bona fide* undertaking to dispose of the body. R.S.O. 1960, c. 14, s. 3 (2), *part, amended*.

Bodies for anatomical dissection
R.S.O. 1960, c. 69 4.—(1) Subject to *The Coroners Act*, the local inspector may cause a body under his control to be delivered to a teacher of anatomy or surgery in a school, for the purpose of anatomical dissection. R.S.O. 1960, c. 14, s. 3 (2), *part, amended*.

Idem (2) No body upon which a *post mortem* examination has been performed shall be delivered to a teacher of anatomy or surgery in a school unless the school is first informed of the *post mortem* examination and consents to accept the body. *New*.

Claiming of bodies after delivery to school 5.—(1) A school that receives a body under section 4 shall keep and preserve the body for not fewer than fourteen days, and, if the body is claimed within that time by a person

entitled to claim the body under section 3, the school shall deliver the body to such person upon payment of the transportation costs actually incurred by the school, or such part of the costs as the school requires, and shall notify the general inspector of the fact. R.S.O. 1960, c. 14, s. 6 (1), *amended*.

(2) A school that receives a body for the purpose of anatomical dissection other than under section 4 shall immediately notify the local inspector and shall not begin a dissection of the body until the local inspector has certified in writing that he has obtained such particulars of the body as he requires. 1965, c. 3, s. 1, *amended*. Donated
bodies

6. Where doubt exists as to whether a person is entitled to claim a body under section 3 or 5, the person claiming the body may apply to a magistrate or, where no magistrate is available, to a justice of the peace having jurisdiction in the locality where the body is found for an order (Form 1), and the magistrate or justice of the peace may make the order. R.S.O. 1960, c. 14, s. 3 (3), *amended*. Magis-
trate's
order

7. A school receiving a body shall dispose of the body at the expense of the school after it has served the purpose for which it was received, but, before disposing of the body, the school shall give notice of the disposition to the general inspector. 1965, c. 3, s. 3, *amended*. Disposition
of bodies
by school

8. Every school shall keep such records as are prescribed by the regulations, and the records shall be open at all times to inspection by the general inspector or a local inspector. R.S.O. 1960, c. 14, s. 6 (2), *amended*. Records
by school

9.—(1) The general inspector may inspect the methods and facilities of a school for handling, preserving, storing, dissecting and disposing of bodies and the parts thereof. Inspection

(2) The general inspector may make such orders in writing as he deems necessary requiring a school to provide and maintain any of the methods and facilities referred to in subsection 1 in accordance with good anatomical practices, and, where an order is not complied with, the general inspector may, in his discretion, suspend delivery of bodies to the school for such periods as he determines. *New*. Orders
of general
inspector

10. Every local inspector shall, Duties
of local
inspector

(a) keep a register showing,

(i) the name, sex, age, birthplace and last place of residence of every person whose body is under his control or of whose body he has been notified under subsection 2 of section 5, and

(ii) the name of the school to which the body was delivered and the date of the delivery; and

(b) furnish the general inspector with such information as he requires. R.S.O. 1960, c. 14, s. 7, *amended*.

Duty of
municipality to
bury

11. Subject to this Act, any unclaimed body found within the limits of a city, town, village or township shall, at the request of the local inspector or, where there is no local inspector appointed under subsection 2 of section 2, of a coroner, be disposed of at the expense of the corporation, but the corporation may recover the expense thereof from the estate of the deceased or from any person whose duty it was to dispose of the body. R.S.O. 1960, c. 14, s. 17, *amended*.

Storage in
morgues

12.—(1) A local inspector or, where there is no local inspector, a coroner may order a body to be stored in a public morgue or retained in a private morgue until other arrangements are made.

Security in
morgues

(2) Every person in charge of a public or private morgue shall ensure that bodies in the morgue are secure against unlawful interference. *New*.

Offence

13.—(1) Every person who contravenes this Act is guilty of an offence and on summary conviction is liable, if a corporation, to a fine of not more than \$2,000 or, if not a corporation, to a fine not exceeding \$1,000 or to imprisonment for a term of not more than one year, or to both. R.S.O. 1960, c. 14, s. 14, *amended*.

Liability
of corporation of
which school
a part

(2) For the purposes of subsection 1, where an institution that is designated as a school for the purposes of this Act is part of a college or university, that is a corporation, a duty imposed by this Act on the school shall be deemed to be imposed on the corporation. *New*.

Regulations

14. The Lieutenant Governor in Council may make regulations,

- (a) designating schools for the purposes of this Act;
- (b) prescribing the records that shall be kept by schools;
- (c) prescribing the duties of the general inspector and the local inspectors in addition to the duties imposed by this Act;

(d) requiring the payment of fees to the general inspector and local inspectors for services performed under this Act and the regulations, and prescribing the amounts thereof;

(e) prescribing forms for the purposes of this Act and providing for their use. *New.*

15. *The Anatomy Act, The Anatomy Amendment Act, 1964* and *The Anatomy Amendment Act, 1965* are repealed. R.S.O. 1960,
c. 14;
1964, c. 2;
1965, c. 3,
repealed

16. This Act comes into force on the 1st day of July, 1967. Commence-
ment

17. This Act may be cited as *The Anatomy Act, 1967*. Short title

FORM 1

(Section 3 (3))

The Anatomy Act, 1967

To whom it may concern:

Whereas *A.B.* of (*here state the residence and occupation of the person by whom or on whose behalf the order is applied for*) has satisfied me that he is a relative (*or is a bona fide friend, or has given a bona fide undertaking to dispose of the body*) of *C.D.*, deceased, and is entitled to have the body delivered to him for the purpose of disposition.

I hereby authorize and order every person and authority having the present custody or control of the body forthwith upon presentation of this order to deliver it to the said *A.B.* for disposition.

Witness my hand as Magistrate (*or Justice of the Peace*) of and for the

.....of

(*as the case may be*), this.....day of....., 19...

.....

R.S.O. 1960, c. 14, Form 1, *amended*.

The Anatomy Act, 1967

1st Reading

May 18th, 1967

2nd Reading

3rd Reading

MR. WISHART

BILL 120

**5TH SESSION, 27TH LEGISLATURE, ONTARIO
15-16 ELIZABETH II, 1967**

The Anatomy Act, 1967

MR. WISHART

BILL 120

1967

The Anatomy Act, 1967

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. In this Act,

Interpre-
tation

- (a) "disposition" means any disposition that may be made of a body under *The Cemeteries Act*, and "dispose" has a corresponding meaning; R.S.O. 1960,
c. 47
- (b) "general inspector" means the general inspector of anatomy;
- (c) "local inspector" means a local inspector of anatomy having jurisdiction, and includes the general inspector;
- (d) "private morgue" means a place where bodies are customarily retained before their disposition, other than a public morgue;
- (e) "public morgue" means a place under the control and management of a municipal corporation where bodies are retained before their disposition;
- (f) "regulations" means the regulations made under this Act;
- (g) "school" means an institution designated as a school by the regulations. R.S.O. 1960, c. 14, s. 1, *amended*.

2.—(1) The Lieutenant Governor in Council may appoint a general inspector of anatomy who shall perform such duties as are assigned to him by this or any other Act, and may perform any of the duties of a local inspector anywhere in Ontario. General
inspector

(2) The Lieutenant Governor in Council may appoint persons who are coroners as local inspectors of anatomy for such Local
inspectors

areas in Ontario as is deemed advisable, and each local inspector shall perform such duties as are assigned to him under this or any other Act, in the area in his jurisdiction, under the supervision and direction of the general inspector. R.S.O. 1960, c. 14, s. 2, *amended*.

Termination of office (3) When a local inspector ceases to be a coroner, his appointment as local inspector is terminated.

Fees (4) The general inspector and local inspectors are entitled to the fees required to be paid to them under this Act. *New*.

Notice to local inspector, etc. **3.—**(1) Subject to *The Coroners Act*, the person having possession of the body of a deceased person that,
R.S.O. 1960, c. 69

(a) is unclaimed by a relative or *bona fide* friend within twenty-four hours after the death; and

1962-63,
c. 59

(b) has not been or will not be used for a purpose authorized under *The Human Tissue Act*, 1962-63,

shall notify the local inspector and shall furnish the local inspector with such information respecting the deceased person as is within the knowledge of the notifier and as the local inspector requires.

Bodies under control of local inspector (2) A body of which the local inspector is notified under subsection 1 shall be deemed to be under his control for the purposes of this Act. R.S.O. 1960, c. 14, s. 3 (1), *part, amended*.

Claiming bodies (3) A body, while under the control of the local inspector, may be claimed by a relative for disposition or by any other person who gives a *bona fide* undertaking to dispose of the body. R.S.O. 1960, c. 14, s. 3 (2), *part, amended*.

Bodies for anatomical dissection **4.—**(1) Subject to *The Coroners Act*, the local inspector may cause a body under his control to be delivered to a teacher of anatomy or surgery in a school, for the purpose of anatomical dissection. R.S.O. 1960, c. 14, s. 3 (2), *part, amended*.
R.S.O. 1960, c. 69

Idem (2) No body upon which a *post mortem* examination has been performed shall be delivered to a teacher of anatomy or surgery in a school unless the school is first informed of the *post mortem* examination and consents to accept the body. *New*.

Claiming of bodies after delivery to school **5.—**(1) A school that receives a body under section 4 shall keep and preserve the body for not fewer than fourteen days, and, if the body is claimed within that time by a person

entitled to claim the body under section 3, the school shall deliver the body to such person upon payment of the transportation costs actually incurred by the school, or such part of the costs as the school requires, and shall notify the general inspector of the fact. R.S.O. 1960, c. 14, s. 6 (1), *amended*.

(2) A school that receives a body for the purpose of anatomical dissection other than under section 4 shall immediately notify the local inspector and shall not begin a dissection of the body until the local inspector has certified in writing that he has obtained such particulars of the body as he requires. 1965, c. 3, s. 1, *amended*. Donated bodies

6. Where doubt exists as to whether a person is entitled to claim a body under section 3 or 5, the person claiming the body may apply to a magistrate or, where no magistrate is available, to a justice of the peace having jurisdiction in the locality where the body is found for an order (Form 1), and the magistrate or justice of the peace may make the order. R.S.O. 1960, c. 14, s. 3 (3), *amended*. Magistrate's order

7. A school receiving a body shall dispose of the body at the expense of the school after it has served the purpose for which it was received, but, before disposing of the body, the school shall give notice of the disposition to the general inspector. 1965, c. 3, s. 3, *amended*. Disposition of bodies by school

8. Every school shall keep such records as are prescribed by the regulations, and the records shall be open at all times to inspection by the general inspector or a local inspector. R.S.O. 1960, c. 14, s. 6 (2), *amended*. Records by school

9.—(1) The general inspector may inspect the methods and facilities of a school for handling, preserving, storing, dissecting and disposing of bodies and the parts thereof. Inspection

(2) The general inspector may make such orders in writing as he deems necessary requiring a school to provide and maintain any of the methods and facilities referred to in subsection 1 in accordance with good anatomical practices, and, where an order is not complied with, the general inspector may, in his discretion, suspend delivery of bodies to the school for such periods as he determines. *New*. Orders of general inspector

10. Every local inspector shall, Duties of local inspector

(a) keep a register showing,

- (i) the name, sex, age, birthplace and last place of residence of every person whose body is under his control or of whose body he has been notified under subsection 2 of section 5, and

(ii) the name of the school to which the body was delivered and the date of the delivery; and

(b) furnish the general inspector with such information as he requires. R.S.O. 1960, c. 14, s. 7, *amended*.

Duty of
municipal-
ity to
bury

11. Subject to this Act, any unclaimed body found within the limits of a city, town, village or township shall, at the request of the local inspector or, where there is no local inspector appointed under subsection 2 of section 2, of a coroner, be disposed of at the expense of the corporation, but the corporation may recover the expense thereof from the estate of the deceased or from any person whose duty it was to dispose of the body. R.S.O. 1960, c. 14, s. 17, *amended*.

Storage in
morgues

12.—(1) A local inspector or, where there is no local inspector, a coroner may order a body to be stored in a public morgue or retained in a private morgue until other arrangements are made.

Security in
morgues

(2) Every person in charge of a public or private morgue shall ensure that bodies in the morgue are secure against unlawful interference. *New*.

Offence

13.—(1) Every person who contravenes this Act is guilty of an offence and on summary conviction is liable, if a corporation, to a fine of not more than \$2,000 or, if not a corporation, to a fine not exceeding \$1,000 or to imprisonment for a term of not more than one year, or to both. R.S.O. 1960, c. 14, s. 14, *amended*.

Liability
of cor-
poration of
which school
a part

(2) For the purposes of subsection 1, where an institution that is designated as a school for the purposes of this Act is part of a college or university, that is a corporation, a duty imposed by this Act on the school shall be deemed to be imposed on the corporation. *New*.

Regulations

14. The Lieutenant Governor in Council may make regulations,

- (a) designating schools for the purposes of this Act;
- (b) prescribing the records that shall be kept by schools;
- (c) prescribing the duties of the general inspector and the local inspectors in addition to the duties imposed by this Act;

- (d) requiring the payment of fees to the general inspector and local inspectors for services performed under this Act and the regulations, and prescribing the amounts thereof;
- (e) prescribing forms for the purposes of this Act and providing for their use. *New.*

15. *The Anatomy Act, The Anatomy Amendment Act, 1964* and *The Anatomy Amendment Act, 1965* are repealed. R.S.O. 1960,
c. 14;
1964, c. 2;
1965, c. 3,
repealed

16. This Act comes into force on the 1st day of July, 1967. Commence-
ment

17. This Act may be cited as *The Anatomy Act, 1967*. Short title

FORM 1

(Section 6)

The Anatomy Act, 1967

To whom it may concern:

Whereas *A.B.* of (*here state the residence and occupation of the person by whom or on whose behalf the order is applied for*) has satisfied me that he is a relative (*or is a bona fide friend, or has given a bona fide undertaking to dispose of the body*) of *C.D.*, deceased, and is entitled to have the body delivered to him for the purpose of disposition.

I hereby authorize and order every person and authority having the present custody or control of the body forthwith upon presentation of this order to deliver it to the said *A.B.* for disposition.

Witness my hand as Magistrate (*or Justice of the Peace*) of and for the

.....of.....

(*as the case may be*), this.....day of....., 19...

R.S.O. 1960, c. 14, Form 1, *amended*.

The Anatomy Act, 1967

1st Reading

May 18th, 1967

2nd Reading

June 1st, 1967

3rd Reading

June 5th, 1967

MR. WISHART

BILL 121

**5TH SESSION, 27TH LEGISLATURE, ONTARIO
15-16 ELIZABETH II, 1967**

An Act to amend The Reciprocal Enforcement of Judgments Act

MR. WISHART

and the reciprocal enforcement of judgments in
the courts of the several states.

THE RECIPROCAL ENFORCEMENT OF JUDGMENTS ACT

EXPLANATORY NOTE

The Act now permits the reciprocal enforcement in Ontario of judgments in superior, county or district courts of reciprocating states. This is extended to include any court.

The Act now requires registration in the Supreme Court. The amendment permits registration in lower courts corresponding to the court issuing the judgment, for the purpose of reducing costs.

BILL 121

1967

**An Act to amend
The Reciprocal Enforcement of Judgments Act**

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Subsection 1 of section 2 of *The Reciprocal Enforcement of Judgments Act* is repealed and the following substituted therefor: R.S.O. 1960,
c. 345, s. 2,
subs. 1,
re-enacted

- (1) Where a judgment has been given in a court in a reciprocating state, the judgment creditor may apply to any court in Ontario having jurisdiction over the subject-matter of the judgment in the place where the debtor resides, or, notwithstanding the subject-matter, to the Supreme Court at any time within six years after the date of the judgment to have the judgment registered in that court, and on any such application the court may, subject to this Act, order the judgment to be registered. Registration
of
judgment

2. This Act comes into force on the day it receives Royal Assent. Commence-
ment

3. This Act may be cited as *The Reciprocal Enforcement of Judgments Amendment Act, 1967*. Short title

An Act to amend The Reciprocal
Enforcement of Judgments Act

1st Reading

May 18th, 1967

2nd Reading

3rd Reading

MR. WISHART

BILL 121

5TH SESSION, 27TH LEGISLATURE, ONTARIO
15-16 ELIZABETH II, 1967

An Act to amend The Reciprocal Enforcement of Judgments Act

MR. WISHART

BILL 121

1967

**An Act to amend
The Reciprocal Enforcement of Judgments Act**

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Subsection 1 of section 2 of *The Reciprocal Enforcement of Judgments Act* is repealed and the following substituted therefor: R.S.O. 1960,
c. 345, s. 2,
subs. 1,
re-enacted

- (1) Where a judgment has been given in a court in a reciprocating state, the judgment creditor may apply to any court in Ontario having jurisdiction over the subject-matter of the judgment in the place where the debtor resides, or, notwithstanding the subject-matter, to the Supreme Court at any time within six years after the date of the judgment to have the judgment registered in that court, and on any such application the court may, subject to this Act, order the judgment to be registered. Registration
of
judgment

2. This Act comes into force on the day it receives Royal Assent. Commence-
ment

3. This Act may be cited as *The Reciprocal Enforcement of Judgments Amendment Act, 1967*. Short title

An Act to amend The Reciprocal
Enforcement of Judgments Act

1st Reading

May 18th, 1967

2nd Reading

May 26th, 1967

3rd Reading

June 5th, 1967

MR. WISHART

BILL 122

5TH SESSION, 27TH LEGISLATURE, ONTARIO
15-16 ELIZABETH II, 1967

An Act to amend The Land Titles Act

MR. WISHART

EXPLANATORY NOTE

The amendment provides for the enlargement of a land titles division to correspond to an annexation or for an area in a land titles division to remain in the division after a part is annexed by an adjoining municipality.

BILL 122

1967

An Act to amend The Land Titles Act

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. *The Land Titles Act* is amended by adding thereto the following section: R.S.O. 1960,
c. 204,
amended

3a.—(1) Where a boundary of a county, city, separated town or provisional judicial district forming the boundary of a land titles division is altered by statute or under an order of the Ontario Municipal Board, the Lieutenant Governor in Council may by regulation provide that the area affected by the alteration be or remain included in the land titles division. Land titles
division
boundaries
upon
annexation

(2) The Lieutenant Governor in Council may make regulations providing for the transfer of land titles records and documents relating to land included in a land titles division under subsection 1. Transfer
of records

2. This Act comes into force on the day it receives Royal Assent. Commence-
ment

3. This Act may be cited as *The Land Titles Amendment Act, 1967 (No. 2)*. Short title

An Act to amend The Land Titles Act

1st Reading

May 18th, 1967

2nd Reading

3rd Reading

MR. WISHART

BILL 122

5TH SESSION, 27TH LEGISLATURE, ONTARIO
15-16 ELIZABETH II, 1967

An Act to amend The Land Titles Act

MR. WISHART

TORONTO
PRINTED AND PUBLISHED BY FRANK FOGG, QUEEN'S PRINTER

Amount of money paid for
and (if necessary) received

For money paid off interest on 12. 50

	1	2	3	4
1810	1	1	1	1

BILL 122

1967

An Act to amend The Land Titles Act

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. *The Land Titles Act* is amended by adding thereto the following section: R.S.O. 1960,
c. 204,
amended

3a.—(1) Where a boundary of a county, city, separated town or provisional judicial district forming the boundary of a land titles division is altered by statute upon annexation or under an order of the Ontario Municipal Board, the Lieutenant Governor in Council may by regulation provide that the area affected by the alteration be or remain included in the land titles division.

(2) The Lieutenant Governor in Council may make regulations providing for the transfer of land titles records and documents relating to land included in a land titles division under subsection 1. Transfer
of records

2. This Act comes into force on the day it receives Royal Assent. Commence-
ment

3. This Act may be cited as *The Land Titles Amendment Act, 1967 (No. 2)*. Short title

An Act to amend The Land Titles Act

1st Reading

May 18th, 1967

2nd Reading

May 26th, 1967

3rd Reading

June 5th, 1967

MR. WISHART

BILL 123

5TH SESSION, 27TH LEGISLATURE, ONTARIO
15-16 ELIZABETH II, 1967

An Act to amend The Execution Act

MR. WISHART

TORONTO

PRINTED AND PUBLISHED BY FRANK FOGG, QUEEN'S PRINTER

EXPLANATORY NOTES

SECTIONS 1 and 2. The provisions for exemption from seizure are revised,

- (a) to increase the monetary values in line with the increased cost of living;
- (b) to simplify the designation of exempted chattels;
- (c) to provide for the sale of an exempted valuable chattel, where necessary, and for refunding the monetary value of the exemption;
- (d) to remove exemptions in certain cases;
- (e) to provide summary procedures for determining disputes as to exemptions.

BILL 123

1967

An Act to amend The Execution Act

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Sections 2, 3 and 4 of *The Execution Act* are repealed and the following substituted therefor: R.S.O. 1960, c. 126, ss. 2-4, re-enacted

2. The following chattels are exempt from seizure under any writ issued out of any court: Exemptions

1. Necessary and ordinary wearing apparel of the debtor and his family not exceeding \$1,000 in value.
2. The household furniture, utensils, equipment, food and fuel that are contained in and form part of the permanent home of the debtor not exceeding \$2,000 in value.
3. In the case of a debtor other than a person engaged solely in the tillage of the soil or farming, tools and instruments and other chattels ordinarily used by the debtor in his business, profession or calling not exceeding \$2,000 in value.
4. In the case of a person engaged solely in the tillage of the soil or farming, the live stock, fowl, bees, books, tools and implements and other chattels ordinarily used by the debtor in his business or calling not exceeding \$5,000 in value.
5. In the case of a person engaged solely in the tillage of the soil or farming, sufficient seed to seed all his land under cultivation, not exceeding 100 acres, as selected by the debtor, and fourteen bushels of potatoes, and, where

seizure is made between the 1st day of October and the 30th day of April, such food and bedding as are necessary to feed and bed the live stock and fowl that are exempt under this section until the 30th day of April next following.

Sale and
refund of
amount of
exemption

- 3.—(1) Where exemption is claimed for a chattel referred to in paragraph 3 of section 2 that has a sale value in excess of \$2,000 plus the costs of the sale and other chattels are not available for seizure and sale, the chattel is subject to seizure and sale under a writ of execution and \$2,000 shall be paid to the debtor out of the proceeds of the sale.

Idem

- (2) The debtor may, in lieu of the chattels referred to in paragraph 4 of section 2, elect to receive the proceeds of the sale thereof up to \$5,000, in which case the officer executing the writ shall pay the net proceeds of the sale if they do not exceed \$5,000 or, if they exceed \$5,000, shall pay that sum to the debtor in satisfaction of the debtor's right to exemption under that paragraph.

Money
derived
from sale
of exempted
goods

4. The sum to which a debtor is entitled under subsection 1 or 2 of section 3 is exempt from attachment or seizure at the instance of a creditor.

R.S.O. 1960,
c. 126, s. 7,
re-enacted

2. Section 7 of *The Execution Act* is repealed and the following substituted therefor:

Articles
for which
debt
contracted

- 7.—(1) The exemptions prescribed in this Act do not apply to exempt any chattel from seizure to satisfy a debt contracted for the purchase of such chattel, except beds, bedding and bedsteads, including cradles in ordinary use by the debtor and his family and the necessary and ordinary wearing apparel of the debtor and his family.

Debt for
maintenance

- (2) The exemptions prescribed in the Act do not apply to exempt any article from seizure to satisfy a debt for maintenance of a spouse or former spouse or of a child, except tools, instruments and chattels ordinarily used by the debtor in his business, profession or calling.

Chattels
purchased
to defeat
creditors

- (3) The exemptions prescribed in this Act do not apply to chattels purchased for the purpose of defeating claims of creditors.

SECTION 3. The new section preserves the application of writs of execution where land is removed from the bailiwick of a sheriff and annexed to the bailiwick of a sheriff in an adjoining county or provisional judicial district.

- (4) The exemptions prescribed in this Act are not available to a corporate debtor. No exemption for corporations

- (5) The exemptions prescribed in this Act bind the Crown. Exemptions bind Crown

7a.—(1) Where a dispute arises as to, Disputes

(a) whether or not a chattel is eligible for exemption from seizure under sections 2 to 7; or

(b) whether or not chattels claimed to be exempt exceed the value of the exemption prescribed by section 2,

the debtor or creditor may apply to the county or district court of the county or district in which the chattel is located for the determination of the question, and the court shall determine the question after a hearing upon such notice to such persons as the court directs.

- (2) A sheriff may apply to the county or district court of the county or district of which he is the sheriff for direction on any matter arising under sections 2 to 7. Application by sheriff for direction

3.—(1) *The Execution Act* is amended by adding thereto the following section: R.S.O. 1960, c. 126, amended

- 29.—(1) Where an area of land in a county or provisional judicial district is annexed for judicial purposes to an adjoining county or provisional judicial district, Jurisdiction of sheriff on annexation

(a) all writs of execution in the hands of the sheriff of the county or provisional judicial district to which the area is annexed at the time of the annexation bind the land in the annexed area from that time, subject to section 145 of *The Land Titles Act*; and

R.S.O. 1960, c. 204

(b) the annexed area shall be deemed to remain in the bailiwick of the sheriff of the county or provisional judicial district of which it was formerly a part in respect of each writ of execution in his hands at the time of the annexation until its withdrawal, expiry or renewal, as the case may be.

- (2) No steps shall be taken by either sheriff referred to in subsection 1 to seize and sell real or personal property of a debtor in the annexed area under a Levy against land in annexed area

writ of execution, until he has notified the other sheriff of his intention to do so, and the sheriff so notified shall forward to the sheriff executing the writ a certified copy of each writ of execution against the debtor,

- (a) in his hands, where the sheriff notified is the sheriff of the county or provisional judicial district to which the area is annexed; or
- (b) in his hands at the time of the annexation and not thereafter withdrawn, expired or renewed, where the sheriff notified is the sheriff of the county or provisional judicial district of which the annexed area was formerly a part.

Filing of
writs of
execution
before sale

- (3) Where a certified copy of a writ of execution is received by a sheriff under subsection 2, the copy shall be deemed to be a writ of execution directed to the sheriff receiving it and filed by the creditor named therein on the day of its receipt.

Liens
for bail
R.S.O. 1960,
cc. 28, 348

- (4) This section applies to liens for bail under *The Bail Act* against land in the annexed area to which *The Registry Act* applies in the same manner as if the certificates of lien for bail were writs of execution, except that a lien of which a certificate was delivered to the sheriff of the county or provisional judicial district of which the annexed area was formerly part shall expire three years after the annexation takes effect unless it is sooner discharged or a certificate thereof is delivered to the sheriff in whose bailiwick the land is situate.

Application

- (2) This section applies to annexations for judicial purposes taking effect on or after the 1st day of January, 1967, but, where an annexation takes effect on or after that date and before this Act comes into force, this Act applies only in respect of writs of executions in the hands of a sheriff on the day this Act comes into force.

Application
of Act

- 4. Sections 1 and 2 apply to seizures made after this Act comes into force.

Commence-
ment

- 5. This Act comes into force on the 1st day of July, 1967.

Short title

- 6. This Act may be cited as *The Execution Amendment Act, 1967*.

An Act to amend The Execution Act

1st Reading

May 18th, 1967

2nd Reading

3rd Reading

MR. WISHART

1967

BILL 123

5TH SESSION, 27TH LEGISLATURE, ONTARIO
15-16 ELIZABETH II, 1967

An Act to amend The Execution Act

MR. WISHART

BILL 123

1967

An Act to amend The Execution Act

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Sections 2, 3 and 4 of *The Execution Act* are repealed and the following substituted therefor: R.S.O. 1960,
c. 126,
ss. 2-4,
re-enacted

2. The following chattels are exempt from seizure under any writ issued out of any court: Exemptions

1. Necessary and ordinary wearing apparel of the debtor and his family not exceeding \$1,000 in value.
2. The household furniture, utensils, equipment, food and fuel that are contained in and form part of the permanent home of the debtor not exceeding \$2,000 in value.
3. In the case of a debtor other than a person engaged solely in the tillage of the soil or farming, tools and instruments and other chattels ordinarily used by the debtor in his business, profession or calling not exceeding \$2,000 in value.
4. In the case of a person engaged solely in the tillage of the soil or farming, the live stock, fowl, bees, books, tools and implements and other chattels ordinarily used by the debtor in his business or calling not exceeding \$5,000 in value.
5. In the case of a person engaged solely in the tillage of the soil or farming, sufficient seed to seed all his land under cultivation, not exceeding 100 acres, as selected by the debtor, and fourteen bushels of potatoes, and, where

seizure is made between the 1st day of October and the 30th day of April, such food and bedding as are necessary to feed and bed the live stock and fowl that are exempt under this section until the 30th day of April next following.

Sale and
refund of
amount of
exemption

- 3.—(1) Where exemption is claimed for a chattel referred to in paragraph 3 of section 2 that has a sale value in excess of \$2,000 plus the costs of the sale and other chattels are not available for seizure and sale, the chattel is subject to seizure and sale under a writ of execution and \$2,000 shall be paid to the debtor out of the proceeds of the sale.

Idem

- (2) The debtor may, in lieu of the chattels referred to in paragraph 4 of section 2, elect to receive the proceeds of the sale thereof up to \$5,000, in which case the officer executing the writ shall pay the net proceeds of the sale if they do not exceed \$5,000 or, if they exceed \$5,000, shall pay that sum to the debtor in satisfaction of the debtor's right to exemption under that paragraph.

Money
derived
from sale
of exempted
goods

4. The sum to which a debtor is entitled under subsection 1 or 2 of section 3 is exempt from attachment or seizure at the instance of a creditor.

R.S.O. 1960,
c. 126, s. 7,
re-enacted

2. Section 7 of *The Execution Act* is repealed and the following substituted therefor:

Articles
for which
debt
contracted

- 7.—(1) The exemptions prescribed in this Act do not apply to exempt any chattel from seizure to satisfy a debt contracted for the purchase of such chattel, except beds, bedding and bedsteads, including cradles in ordinary use by the debtor and his family and the necessary and ordinary wearing apparel of the debtor and his family.

Debt for
maintenance

- (2) The exemptions prescribed in this Act do not apply to exempt any article from seizure to satisfy a debt for maintenance of a spouse or former spouse or of a child, except tools, instruments and chattels ordinarily used by the debtor in his business, profession or calling.

Chattels
purchased
to defeat
creditors

- (3) The exemptions prescribed in this Act do not apply to chattels purchased for the purpose of defeating claims of creditors.

(4) The exemptions prescribed in this Act are not available to a corporate debtor. No exemption for corporations

(5) The exemptions prescribed in this Act bind the Crown. Exemptions bind Crown

7a.—(1) Where a dispute arises as to, Disputes

(a) whether or not a chattel is eligible for exemption from seizure under sections 2 to 7; or

(b) whether or not chattels claimed to be exempt exceed the value of the exemption prescribed by section 2,

the debtor or creditor may apply to the county or district court of the county or district in which the chattel is located for the determination of the question, and the court shall determine the question after a hearing upon such notice to such persons as the court directs.

(2) A sheriff may apply to the county or district court of the county or district of which he is the sheriff for direction on any matter arising under sections 2 to 7. Application by sheriff for direction

3.—(1) *The Execution Act* is amended by adding thereto the following section: R.S.O. 1960, c. 126, amended

29.—(1) Where an area of land in a county or provisional judicial district is annexed for judicial purposes to an adjoining county or provisional judicial district, Jurisdiction of sheriff on annexation

(a) all writs of execution in the hands of the sheriff of the county or provisional judicial district to which the area is annexed at the time of the annexation bind the land in the annexed area from that time, subject to section 145 of *The Land Titles Act*; and R.S.O. 1960, c. 204

(b) the annexed area shall be deemed to remain in the bailiwick of the sheriff of the county or provisional judicial district of which it was formerly a part in respect of each writ of execution in his hands at the time of the annexation until its withdrawal, expiry or renewal, as the case may be.

(2) No steps shall be taken by either sheriff referred to in subsection 1 to seize and sell real or personal property of a debtor in the annexed area under a Levy against land in annexed area

writ of execution, until he has notified the other sheriff of his intention to do so, and the sheriff so notified shall forward to the sheriff executing the writ a certified copy of each writ of execution against the debtor,

(a) in his hands, where the sheriff notified is the sheriff of the county or provisional judicial district to which the area is annexed; or

(b) in his hands at the time of the annexation and not thereafter withdrawn, expired or renewed, where the sheriff notified is the sheriff of the county or provisional judicial district of which the annexed area was formerly a part.

Filing of
writs of
execution
before sale

(3) Where a certified copy of a writ of execution is received by a sheriff under subsection 2, the copy shall be deemed to be a writ of execution directed to the sheriff receiving it and filed by the creditor named therein on the day of its receipt.

Liens
for bail
R.S.O. 1960,
cc. 28, 348

(4) This section applies to liens for bail under *The Bail Act* against land in the annexed area to which *The Registry Act* applies in the same manner as if the certificates of lien for bail were writs of execution, except that a lien of which a certificate was delivered to the sheriff of the county or provisional judicial district of which the annexed area was formerly part shall expire three years after the annexation takes effect unless it is sooner discharged or a certificate thereof is delivered to the sheriff in whose bailiwick the land is situate.

Application

(2) This section applies to annexations for judicial purposes taking effect on or after the 1st day of January, 1967, but, where an annexation takes effect on or after that date and before this Act comes into force, this Act applies only in respect of writs of executions in the hands of a sheriff on the day this Act comes into force.

Application
of Act

4. Sections 1 and 2 apply to seizures made after this Act comes into force.

Commence-
ment

5. This Act comes into force on the 1st day of July, 1967.

Short title

6. This Act may be cited as *The Execution Amendment Act, 1967*.

An Act to amend The Execution Act

1st Reading

May 18th, 1967

2nd Reading

May 26th, 1967

3rd Reading

June 5th, 1967

MR. WISHART

BILL 124

5TH SESSION, 27TH LEGISLATURE, ONTARIO
15-16 ELIZABETH II, 1967

An Act to amend The Crown Attorneys Act

MR. WISHART

EXPLANATORY NOTES

SECTION 1. The amendment authorizes Crown attorneys appointed for a county or district to act outside the county or district when so directed by the Director of Public Prosecutions.

SECTION 2. Provision is added for making appointments to fill temporary vacancies in the office of clerk of the peace in the same manner as for temporary vacancies in the office of Crown attorney.

BILL 124

1967

An Act to amend The Crown Attorneys Act

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Subsection 2 of section 1 of *The Crown Attorneys Act*, R.S.O. 1960, c. 82, s. 1, as enacted by subsection 2 of section 1 of *The Crown Attorneys Amendment Act, 1964*, is amended by inserting after "Province" subs. 2 (1964, c. 15, s. 1, subs. 2), amended "or a county or provisional judicial district thereof", so that the subsection shall read as follows:

(2) The Crown attorneys and assistant Crown attorneys ^{Special Crown attorneys} appointed for the Province or a county or provisional judicial district thereof shall act anywhere in the Province as directed by the Director of Public Prosecutions.

2. Section 6 of *The Crown Attorneys Act* is amended by ^{R.S.O. 1960, c. 82, s. 6, amended} adding thereto the following subsection:

(4) When a Crown attorney is absent or ill or is unable ^{Pro tem appointments} to perform his duties as clerk of the peace, or when there is a vacancy in the office of clerk of the peace, the Deputy Attorney General may appoint another Crown attorney to act *pro tem* as clerk of the peace during the period that the Crown attorney is absent or ill or is unable to perform his duties as clerk of the peace, or until there is no longer a vacancy in the office of the clerk of the peace, as the case may be.

3. This Act comes into force on the day it receives Royal ^{Commence-} Assent. ^{ment}

4. This Act may be cited as *The Crown Attorneys Amendment Act, 1967*. ^{Short title}

An Act to amend The Crown Attorneys Act

1st Reading

May 18th, 1967

2nd Reading

3rd Reading

MR. WISHART

BILL 124

5TH SESSION, 27TH LEGISLATURE, ONTARIO
15-16 ELIZABETH II, 1967

An Act to amend The Crown Attorneys Act

MR. WISHART

TORONTO

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BILL 124

1967

An Act to amend The Crown Attorneys Act

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Subsection 2 of section 1 of *The Crown Attorneys Act*, as enacted by subsection 2 of section 1 of *The Crown Attorneys Amendment Act, 1964*, is amended by inserting after "Province" in the second line "or a county or provisional judicial district thereof", so that the subsection shall read as follows:

R.S.O. 1960,
c. 82, s. 1,
subs. 2
(1964,
c. 15, s. 1,
subs. 2),
amended

(2) The Crown attorneys and assistant Crown attorneys appointed for the Province or a county or provisional judicial district thereof shall act anywhere in the Province as directed by the Director of Public Prosecutions.

Special
Crown
attorneys

2. Section 6 of *The Crown Attorneys Act* is amended by adding thereto the following subsection:

R.S.O. 1960,
c. 82, s. 6,
amended

(4) When a Crown attorney is absent or ill or is unable to perform his duties as clerk of the peace, or when there is a vacancy in the office of clerk of the peace, the Deputy Attorney General may appoint another Crown attorney to act *pro tem* as clerk of the peace during the period that the Crown attorney is absent or ill or is unable to perform his duties as clerk of the peace, or until there is no longer a vacancy in the office of the clerk of the peace, as the case may be.

Pro tem
appoint-
ments

3. This Act comes into force on the day it receives Royal Assent.

Commence-
ment

4. This Act may be cited as *The Crown Attorneys Amendment Act, 1967*.

Short title

An Act to amend The Crown Attorneys Act

1st Reading

May 18th, 1967

2nd Reading

May 26th, 1967

3rd Reading

June 5th, 1967

MR. WISHART

BILL 125

**5TH SESSION, 27TH LEGISLATURE, ONTARIO
15-16 ELIZABETH II, 1967**

An Act to amend The Hotel Fire Safety Act

MR. WISHART

EXPLANATORY NOTE

The present definition includes all establishments licensed under *The Liquor Licence Act* or *The Department of Tourism and Information Act, 1966*. The new definition confines the application of the Act to such licensed establishments having sleeping accommodation for the public.

BILL 125

1967

An Act to amend The Hotel Fire Safety Act

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Clause *f* of section 1 of *The Hotel Fire Safety Act*, as re-enacted by subsection 1 of section 1 of *The Hotel Fire Safety Amendment Act, 1964*, is repealed and the following substituted therefor:

R.S.O. 1960,
c. 179, s. 1,
cl. *f*
(1964,
c. 41, s. 1,
subs. 1),
re-enacted

(*f*) "hotel" means an establishment that provides sleeping accommodation for the public and is licensed under *The Department of Tourism and Information Act, 1966* or *The Liquor Licence Act*.

1966, c. 44
R.S.O. 1960,
c. 218

2. This Act comes into force on the day it receives Royal Assent.

Commence-
ment

3. This Act may be cited as *The Hotel Fire Safety Amendment Act, 1967*.

Short title

An Act to amend The Hotel Fire Safety Act

1st Reading

May 18th, 1967

2nd Reading

3rd Reading

MR. WISHART

BILL 125

5TH SESSION, 27TH LEGISLATURE, ONTARIO
15-16 ELIZABETH II, 1967

An Act to amend The Hotel Fire Safety Act

MR. WISHART

BILL 125

1967

An Act to amend The Hotel Fire Safety Act

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Clause *f* of section 1 of *The Hotel Fire Safety Act*, as re-enacted by subsection 1 of section 1 of *The Hotel Fire Safety Amendment Act, 1964*, is repealed and the following substituted therefor:

R.S.O. 1960,
c. 179, s. 1,
cl. *f*
(1964,
c. 41, s. 1,
subs. 1),
re-enacted

(f) "hotel" means an establishment that provides sleeping accommodation for the public and is licensed under *The Department of Tourism and Information Act, 1966* or *The Liquor Licence Act*.

1966, c. 44
R.S.O. 1960,
c. 218

2. This Act comes into force on the day it receives Royal Assent.

Commence-
ment

3. This Act may be cited as *The Hotel Fire Safety Amendment Act, 1967*.

Short title

An Act to amend The Hotel Fire Safety Act

1st Reading

May 18th, 1967

2nd Reading

May 26th, 1967

3rd Reading

June 5th, 1967

MR. WISHART

BILL 126

5TH SESSION, 27TH LEGISLATURE, ONTARIO
15-16 ELIZABETH II, 1967

An Act to amend The Short Forms of Mortgages Act

MR. WISHART

EXPLANATORY NOTE

The amendment permits the use of the short form clauses in a mortgage of a lease.

BILL 126

1967

**An Act to amend
The Short Forms of Mortgages Act**

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Clause *a* of section 1 of *The Short Forms of Mortgages Act* <sup>R.S.O. 1960,
c. 374, s. 1,</sup> is amended by inserting after "freehold" in the first line ^{cl. a,} "or leasehold", so that the clause shall read as follows: ^{amended}

(a) "land" includes freehold or leasehold tenements and hereditaments, whether corporeal or incorporeal, and any undivided part or share therein.

2. This Act comes into force on the day it receives Royal ^{Commence-} Assent. ^{ment}

3. This Act may be cited as *The Short Forms of Mortgages* ^{Short title} *Amendment Act, 1967.*

An Act to amend
The Short Forms of Mortgages Act

1st Reading

May 18th, 1967

2nd Reading

3rd Reading

MR. WISHART

BILL 126

5TH SESSION, 27TH LEGISLATURE, ONTARIO
15-16 ELIZABETH II, 1967

An Act to amend The Short Forms of Mortgages Act

MR. WISHART

BILL 126

1967

**An Act to amend
The Short Forms of Mortgages Act**

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Clause *a* of section 1 of *The Short Forms of Mortgages Act* <sup>R.S.O. 1960,
c. 374, s. 1,</sup> is amended by inserting after "freehold" in the first line <sup>cl. a,
amended</sup> "or leasehold", so that the clause shall read as follows:

(a) "land" includes freehold or leasehold tenements and hereditaments, whether corporeal or incorporeal, and any undivided part or share therein.

2. This Act comes into force on the day it receives Royal ^{Commence-} Assent. ^{ment}

3. This Act may be cited as *The Short Forms of Mortgages* ^{Short title} *Amendment Act, 1967.*

An Act to amend
The Short Forms of Mortgages Act

1st Reading

May 18th, 1967

2nd Reading

May 26th, 1967

3rd Reading

June 5th, 1967

MR. WISHART

BILL 127

5TH SESSION, 27TH LEGISLATURE, ONTARIO
15-16 ELIZABETH II, 1967

The Mental Health Act, 1967

MR. DYMOND

EXPLANATORY NOTE

This Bill is designed as an umbrella statute to govern the overall co-ordination of the mental health programme in Ontario. The Bill embraces all psychiatric facilities and will foster the development and maintenance throughout the Province of an integrated system of comprehensive mental health services. Provisions of the Bill apply to provincially-operated mental hospitals, community psychiatric hospitals, privately-owned psychiatric hospitals, psychiatric wards of general hospitals and various other designated facilities. The administrative organization and structure of psychiatric facilities will continue to be dealt with in other legislation. Consequently, the proposed statute will be compatible with existing patterns of administration, and supportive to any change of policy in this regard.

Part I of the Bill relates to standards, and regulations contemplated will govern the establishment of facilities, the range of services offered and the level of patient care provided.

Since the provisions contained in Part II will be of wider application than to provincially-operated mental hospitals, the possibility of a greater number of patients being treated in their own community will be enhanced.

The terminology employed is fully brought into line with modern thinking. References to epileptics have been entirely deleted. The cumbersome provisions dealing with habitues are discontinued. Mental disorder, the new generic term, is defined as any disease or disability of the mind. This term will apply to children as well as adults. As in the treatment of physical illness, specific reference to children is not considered necessary or desirable in legislation of this nature.

Admission to a psychiatric facility is placed upon a basis parallel to that employed in the case of hospitalization for physical illness.

Compulsory procedures are streamlined to permit needed examination to be effected without unnecessary involvement or delay. Emphasis is, all the while, given to the rights of the individual. Criteria for the adoption of compulsory measures are more restrictive than those formerly in use. In circumstances where compulsion is indicated, statutory conditions precedent must be fulfilled to ensure the least possible degree of interference with the person. Court hearings held merely to determine the need for hospitalization are abolished. Mandatory hospital admissions upon the judgment of police officers alone are no longer authorized. Powers of judicial and police officers are continued, to assist in arranging examination.

Medical certification will not, as before, serve as authority to detain for an absolute indeterminate time. Continued detention will be sanctioned only by renewal certificates issued at intervals designated by law.

The Bill contemplates wider availability of psychiatric services to the courts in connection with persons charged with or convicted of an offence. Prisoners under sentence in penal and correctional institutions will be eligible for admission to a psychiatric facility in a manner no different from that enjoyed by citizens in the community.

Censorship of mail is for the first time restricted to conditions prescribed by the Bill.

In keeping with a more positive approach, the system of release on probation is not retained. A patient placed in the community is to be discharged, unless his return to the psychiatric facility is prearranged. The procedures for retaking a patient who is absent from a psychiatric facility without authorization are modified to give greater protection to the individual.

Review boards will have jurisdiction over all psychiatric facilities in which patients may be hospitalized involuntarily. The right to a review will arise each time the authority for a patient's detention is renewed.

The establishment of advisory review boards carries with it the guarantee that no patient—even those involved with the criminal law—detained in a psychiatric facility anywhere in Ontario will be without a right to an independent review. Cases of those who are detained under warrant of the Lieutenant Governor will be reviewed whether or not requests for review are made.

Part III concerns the administration of estates of patients in psychiatric facilities. The application of this system to a broader range of psychiatric facilities will ensure estate protection on a more appropriate basis. The system under the present law provides for committeeship depending upon the method of admission to a mental hospital. Under that system, the way is left open to unwarranted committeeship, or absence of committeeship where it might be desirable. Each case under the proposed Act will be considered on its individual merits by the attending physician, thereby providing the necessary degree of selectivity. The powers and duties of the Public Trustee are not substantially altered.

Authorization of federal-provincial agreements with respect to Federal psychiatric facilities, such as those for war veterans, is contained in Part IV.

Complementary Bills will be introduced to repeal the Acts and parts of Acts covered by this Bill.

BILL 127

1967

The Mental Health Act, 1967

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. In this Act,

Interpre-
tation

- (a) "attending physician" means the physician to whom responsibility for the observation, care and treatment of a patient has been assigned;
- (b) "Department" means the Department of Health;
- (c) "Deputy Minister" means the Deputy Minister of Health;
- (d) "local board of health" has the same meaning as local board in *The Public Health Act*; R.S.O. 1980,
c. 321
- (e) "medical officer of health" has the same meaning as in *The Public Health Act*;
- (f) "mental disorder" means any disease or disability of the mind;
- (g) "Minister" means the Minister of Health;
- (h) "officer-in-charge" means the officer who is responsible for the administration and management of a psychiatric facility;
- (i) "patient" means a person who is under observation, care and treatment in a psychiatric facility;
- (j) "physician" means a duly qualified medical practitioner;
- (k) "psychiatric facility" means a facility for the observation, care and treatment of persons suffering from mental disorder, and designated as such by the regulations;

(l) "psychiatrist" means a physician who holds a specialist's certificate in psychiatry issued by The Royal College of Physicians and Surgeons of Canada or equivalent qualification acceptable to the Minister;

(m) "regulations" means the regulations made under this Act;

(n) "senior physician" means the physician responsible for the clinical services in a psychiatric facility. 1966, c. 87, s. 1, *amended*.

PART I

STANDARDS

Application
of Act

2. This Act applies to every psychiatric facility. 1966, c. 87, s. 2, *amended*.

Conflict

3. Every psychiatric facility has power to carry on its undertaking as authorized by any Act, but, where the provisions of any Act conflict with the provisions of this Act or the regulations, the provisions of this Act and the regulations prevail. *New*.

Advisory
officers

4.—(1) The Minister may designate officers of the Department or appoint persons who shall advise and assist medical officers of health, local boards of health, hospitals and other bodies and persons in all matters pertaining to mental health and who shall have such other duties as are assigned to them by this Act or the regulations.

Powers

(2) Any such officer or person may at any time, and shall be permitted so to do by the authorities thereat, visit and inspect any psychiatric facility, and in so doing may interview patients, examine books, records and other documents relating to patients, examine the condition of the psychiatric facility and its equipment, and inquire into the adequacy of its staff, the range of services provided and any other matter he deems relevant to the maintenance of standards of patient care. 1966, c. 87, s. 4, *amended*.

Provincial
aid

5. The Minister may pay psychiatric facilities provincial aid in such manner, in such amounts and under such conditions as are prescribed by the regulations. *New*.

PART II

HOSPITALIZATION

Where
admission
may be
refused

6. Notwithstanding this or any other Act, admission to a psychiatric facility may be refused where the immediate needs in the case of the proposed patient are such that hospitalization is not urgent or necessary. *New*.

7. Any person who is believed to be in need of the observation, care and treatment provided in a psychiatric facility may be admitted thereto as an informal patient upon the recommendation of a physician. *New.* Admission of informal patients

8.—(1) Any person who, Admission of involuntary patients

(a) suffers from mental disorder of a nature or degree so as to require hospitalization in the interests of his own safety or the safety of others; and

(b) is not suitable for admission as an informal patient,

may be admitted as an involuntary patient to a psychiatric facility upon application therefor in the prescribed form signed by a physician.

(2) It shall be stated and shown clearly that the physician signing the application personally examined the person who is the subject of the application and made due inquiry into all of the facts necessary for him to form a satisfactory opinion. Contents of application

(3) The physician signing the application shall also in the application state the facts upon which he has formed his opinion of the mental disorder, distinguishing the facts observed by him from the facts communicated to him by others, and shall note the date upon which the examination was made. Idem

(4) Every such application shall be completed no later than seven days after the examination referred to therein, and no person shall be admitted to a psychiatric facility upon an application except within fourteen days of the date on which the application was completed. Time limits

(5) Such an application is sufficient authority, Authority of application

(a) to any person to convey the person who is the subject of the application to a psychiatric facility; and

(b) to the authorities thereof to admit and detain him therein for a period of not more than one month. *New.*

9.—(1) Where information upon oath is brought before a justice of the peace that a person, within the limits of his jurisdiction, Justice of the peace's order for examination

(a) is believed to be suffering from mental disorder; and

(b) should be examined in the interest of his own safety or the safety of others,

the justice may, if he is satisfied that,

(c) such examination is necessary; and

(d) such examination can be arranged in no other way,

issue his order for examination in the prescribed form.

Contents
of order

(2) In every order under this section it shall be stated and shown clearly that the justice issuing the order made due inquiry into all of the facts necessary for him to form a satisfactory opinion.

Idem

(3) An order under this section may be directed to all or any constables or other peace officers of the locality within which the justice has jurisdiction and shall name or otherwise describe the person with respect to whom the order has been made.

Authority
of order

(4) An order under this section shall direct, and is sufficient authority for, any constable or other peace officers to whom it is addressed to take the person named or described therein to an appropriate place where he may be detained for medical examination. *New.*

Action by
peace officer

10. Where a constable or other peace officer observes a person,

(a) apparently suffering from mental disorder; and

(b) acting in a manner that in a normal person would be disorderly,

the officer may, if he is satisfied that,

(c) the person should be examined in the interests of his own safety or the safety of others; and

(d) the circumstances are such that to proceed under section 9 would be dangerous,

take the person to an appropriate place where he may be detained for medical examination, *New.*

11. An examination referred to in section 9 or 10 shall be conducted forthwith and, wherever practicable, the place of examination shall be a psychiatric facility. *New.* Examination

12. An informal patient may, upon completion of the prescribed form, be continued as an involuntary patient, and in any such case section 8 applies *mutatis mutandis*. *New.* Informal patients may become involuntary patients

13.—(1) The period of detention of an involuntary patient may be extended upon the completion of a certificate of renewal in the prescribed form by the attending physician after personal examination. Certificate of renewal

(2) The attending physician shall not complete a certificate of renewal unless the patient, Conditions precedent to making of certificate of renewal

(a) suffers from mental disorder of a nature or degree so as to require further hospitalization in the interests of his own safety or the safety of others; and

(b) is not suitable to be continued as an informal patient.

(3) A certificate of renewal is authority to detain the patient as follows: Authority of certificates of renewal

1. First certificate—not more than two additional months.
2. Second certificate—not more than three additional months.
3. Third certificate—not more than six additional months.
4. Fourth certificate—not more than twelve additional months.
5. Each subsequent certificate—not more than twelve additional months.

(4) An involuntary patient whose authorized period of detention has expired shall be deemed to be an informal patient. Change of status, where period of detention has expired

(5) An involuntary patient whose authorized period of detention has not expired may be continued as an informal patient upon completion of the prescribed form by the attending physician. *New.* Idem, where period of detention has not expired

14.—(1) Where a judge or magistrate has reason to believe that a person who appears before him charged with or convicted of an offence suffers from mental disorder, the judge or magistrate may order the person to attend a psychiatric facility for examination. Judge's order for examination

Senior
physician's
report

(2) Where an examination is made under this section, the senior physician shall report in writing to the judge or magistrate as to the mental condition of the person.

Judge's
order for
treatment

(3) If the senior physician reports that the person examined needs treatment, the judge or magistrate may order the person to attend a psychiatric facility for treatment. *New.*

Judge's
order for
admission

15.—(1) Where a judge or magistrate has reason to believe that a person in custody who appears before him charged with an offence suffers from mental disorder, the judge or magistrate may, by order, remand that person for admission as a patient to a psychiatric facility for a period of not more than two months.

Senior
physician's
report

(2) Before the expiration of the time mentioned in such order, the senior physician shall report in writing to the judge or magistrate as to the mental condition of the person. *New.*

Condition
precedent
to judge's
order

16. A judge or magistrate shall not make an order under section 14 or 15 until he ascertains from the senior physician of a psychiatric facility that the services of the psychiatric facility are available to the person to be named in the order. *New.*

Contents of
senior
physician's
report

17. Notwithstanding this or any other Act or any regulation made under any other Act, the senior physician may report all or any part of the information compiled by the psychiatric facility to any person where, in the opinion of the senior physician, it is in the best interests of the person who is the subject of an order made under section 14 or 15. *New.*

Persons
detained
under
1953-54, c. 51
(Can.)

18. Any person who, pursuant to the *Criminal Code* (Canada), is

(a) remanded to custody for observation; or

(b) detained under the authority of a warrant of the Lieutenant Governor,

may be admitted to, detained in, and discharged from a psychiatric facility in accordance with law. *New.*

Communi-
cations to
and from
patients

19.—(1) Except as provided in this section, no communication written by a patient or sent to a patient shall be opened, examined, withheld, or its delivery in any way obstructed or delayed.

Where
communica-
tion may be
withheld

(2) Where the officer-in-charge or a person acting under his authority has reasonable and probable cause to believe,

(a) that the contents of a communication written by a patient would,

(i) be unreasonably offensive to the addressee, or

(ii) prejudice the best interests of the patient; or

(b) that the contents of a communication sent to a patient would,

(i) interfere with the treatment of the patient, or

(ii) cause the patient unnecessary distress,

the officer-in-charge or a person acting under his authority may open and examine the contents thereof and, if any condition mentioned in clause *a* or *b*, as the case may be, exists, may withhold such communication from delivery.

(3) Subsection 2 does not apply to a communication written ^{Exceptions} by a patient to, or appearing to be sent to a patient by,

(a) a barrister and solicitor;

(b) a member of a review board or advisory review board under this Act; or

(c) a member of the Assembly. *New.*

20.—(1) The officer-in-charge may, upon the advice of the attending physician, place a patient on leave of absence from the psychiatric facility for a designated period of not more than three months, if the intention is that the patient shall return thereto. ^{Leave of absence}

(2) Leave of absence may be permitted upon such terms ^{Terms and conditions} and conditions as the officer-in-charge may prescribe.

(3) Subsection 1 does not authorize the placing of a patient on leave of absence where he is subject to detention otherwise than under this Act. ^{Exception} *New.*

21.—(1) A patient who is subject to detention and who, ^{Unauthorized absence} without authorization, is absent from a psychiatric facility may be returned thereto by a constable or other peace officer or by any person appointed by the officer-in-charge,

(a) within twenty-four hours after his absence becomes known to the officer-in-charge; or

- (b) under the authority of an order in the prescribed form issued by the officer-in-charge, within one month after his absence becomes known to the officer-in-charge.

Detention
during
return

- (2) A patient who is being returned under subsection 1 may be detained in an appropriate place in the course of his return.

Period of
detention
upon
return

- (3) For the purposes of this Act, a patient who is returned under subsection 1 may be detained for the remainder of the period of detention to which he was subject when his absence became known to the officer-in-charge.

Where not
returned

- (4) Where a patient is not returned within one month after his absence became known to the officer-in-charge, he shall, unless subject to detention otherwise than under this Act, be deemed to be discharged from the psychiatric facility.

Prohibitions

- (5) No person shall do or omit to do any act for the purpose of aiding, assisting, abetting or counselling a patient in a psychiatric facility to be absent without authorization. *New.*

Transfer
of patients
from one
facility to
another

- 22.**—(1) Upon the advice of the attending physician, the officer-in-charge of a psychiatric facility may, if otherwise permitted by law and subject to arrangements being made with the officer-in-charge of another psychiatric facility, transfer a patient to such other psychiatric facility upon completing a memorandum of transfer in the prescribed form.

Authority
to detain

- (2) Where a patient is transferred under subsection 1, the authority to detain him continues in force in the psychiatric facility to which he is so transferred. *New.*

Treatment
in public
hospital

- 23.**—(1) Upon the advice of the attending physician that a patient requires hospital treatment that cannot be supplied in the psychiatric facility, the officer-in-charge may, if otherwise permitted by law, transfer the patient to a public hospital for such treatment and return him to the psychiatric facility upon the conclusion thereof.

Powers of
superin-
tendent

- (2) Where a patient is transferred under subsection 1, the superintendent of the public hospital has, in addition to the powers conferred upon him by the Act under which the hospital operates, the powers under this Act of an officer-in-charge of a psychiatric facility in respect of the custody and control of the patient. *New.*

24. Where it appears to the Minister,

Transfer
of patients to
institutions
outside
Ontario

- (a) that a patient in a psychiatric facility has come or been brought into Ontario from elsewhere and his hospitalization is the responsibility of another jurisdiction; or
- (b) that it would be in the best interests of a patient in a psychiatric facility to be hospitalized in another jurisdiction,

the Minister may, upon compliance in Ontario *mutatis mutandis* with the laws respecting hospitalization in such other jurisdiction, by warrant in the prescribed form authorize his transfer thereto. *New.*

25.—(1) Where the Minister has reason to believe that a person suffering from a mental disorder may come or be brought into Ontario from elsewhere, the Minister may issue a warrant in the prescribed form which is sufficient authority to any person to convey the person named therein to a psychiatric facility and to the authorities thereof to admit and detain him.

Mentally
disordered
persons
coming into
Ontario

(2) A person admitted to a psychiatric facility under subsection 1 shall be deemed to have been admitted as an involuntary patient under section 8. *New.*

Idem

26.—(1) A patient shall be discharged from a psychiatric facility when he is no longer in need of the observation, care and treatment provided therein.

Discharge
of patients

(2) Subsection 1 does not authorize the discharge into the community of a patient who is subject to detention otherwise than under this Act. *New.*

Exception

27.—(1) The Lieutenant Governor in Council may appoint a review board for any one or more psychiatric facilities.

Review
boards

(2) A review board shall be composed of three or five members, at least one and not more than two of whom are psychiatrists and at least one and not more than two of whom are barristers and solicitors and at least one of whom is not a psychiatrist or a barrister and solicitor.

Composition

(3) The Lieutenant Governor in Council may designate one of the members of a review board as chairman.

Chairman

(4) The Lieutenant Governor in Council may appoint alternate members to a review board, and, where for any reason a member cannot act, the alternate member appropriate to comply with subsection 2 shall act in his stead.

Alternate
members

Disqualifi-
cation

(5) An officer or servant of, or a person with a direct financial interest in, a psychiatric facility shall not act as a member of a review board when the case of a patient of that facility is being reviewed.

Term of
of office

(6) A member shall hold office for the period, not to exceed three years, specified in his appointment, but is eligible for re-appointment at the expiration of his term of office.

Quorum

(7) A psychiatrist and a barrister and solicitor and another member who is not a psychiatrist or a barrister and solicitor constitute a quorum, and the decision of a majority is the decision of the review board. *New.*

Application
for review by
patient, etc.

28.—(1) An involuntary patient, or any person on his behalf, may apply in the prescribed form to the chairman of the review board having jurisdiction to inquire into whether the patient suffers from mental disorder of a nature or degree so as to require hospitalization in the interests of his own safety or the safety of others.

When
application
may be made

(2) An application under subsection 1 may be made,

- (a) when any certificate of renewal respecting the patient comes into force; or
- (b) when the patient, after having been admitted to a psychiatric facility, is subsequently continued as an involuntary patient.

Application
for review
by Minister,
etc.

(3) An application under subsection 1 may be made at any time by the Minister, the Deputy Minister or the officer-in-charge in respect of any involuntary patient. *New.*

Inquiry
and
hearing

29.—(1) Upon receipt of an application by the chairman, the review board shall conduct such inquiry as it considers necessary to reach a decision and may hold a hearing, which in the discretion of the review board may be *in camera*, for the purpose of receiving oral testimony.

Attendance
of patient
at hearing

(2) Where a hearing is held, the patient may attend the hearing unless otherwise directed by the chairman and, where he does not attend, he may have a person appear as his representative.

Rights of
patient at
hearing

(3) Where a hearing is held, the patient or his representative may call witnesses and make submissions and, with the permission of the chairman, may cross-examine witnesses.

(4) The officer-in-charge shall, for the purpose of an inquiry, furnish the chairman with such information and reports as the chairman requests. Information, reports, etc.

(5) The review board or any member thereof may interview a patient or other person in private. *New.* Interview may be private

30.—(1) Upon the conclusion of an inquiry, the chairman shall prepare a written report of the decision of the review board and within the time prescribed by the regulations transmit a copy thereof to the applicant and to the officer-in-charge where he is not the applicant. Report

(2) Upon receipt of a copy of the decision, the officer-in-charge shall take any action required to give effect thereto. *New.* Implementation of report

31.—(1) The Lieutenant Governor in Council may appoint an advisory review board for any one or more psychiatric facilities that has a review board. Advisory review boards

(2) An advisory review board shall be composed of a judge or a retired judge of the Supreme Court who shall serve as chairman, a psychiatrist and any three members who constitute a quorum of the review board. Composition

(3) Subsections 4, 5 and 6 of section 27 apply *mutatis mutandis* to the members of an advisory review board. Alternate members, etc.

(4) The five members of an advisory review board constitute a quorum and the recommendation of a four-fifths majority is the recommendation of the advisory review board. *New.* Quorum

(5) The case of every patient in a psychiatric facility who is detained under the authority of a warrant of the Lieutenant Governor under the *Criminal Code* (Canada) shall be considered by the advisory review board having jurisdiction once in every year, commencing with the year next after the year in which the warrant was issued. Functions 1953-54 c. 51, (Can.)

(6) Notwithstanding subsection 5, the advisory review board shall consider the case of any patient to which that subsection applies at any time upon the written request of the Minister. Idem

(7) Section 29 applies *mutatis mutandis* to cases under this section. Application of sec. 29

(8) Upon the conclusion of an inquiry, the chairman shall prepare a written report of the recommendations of the advisory review board and, within the time prescribed by the Report

regulations, shall transmit a copy thereof to the Lieutenant Governor in Council, and may in his discretion transmit a copy thereof to any other person. *New.*

PART III

ESTATES

32.—(1) Forthwith upon the admission of a patient to a psychiatric facility, he shall be examined by a physician to determine whether he is competent to manage his estate.

(2) The attending physician may examine a patient at any time to determine whether he is competent to manage his estate.

(3) If, after an examination under subsection 1 or 2, the examining physician is of the opinion that the patient is not competent to manage his estate, he shall issue a certificate of incompetence in the prescribed form and the officer-in-charge shall forward the certificate to the Public Trustee.

(4) Where circumstances are such that the Public Trustee should immediately assume management of an estate, the officer-in-charge shall notify the Public Trustee in the fastest manner possible that a certificate of incompetence has been issued.

(5) Notwithstanding that no certificate of incompetence has been issued in his case, a patient may, at any time, in writing signed and sealed by him, appoint the Public Trustee as committee of his estate while he is a patient in a psychiatric facility, and any such appointment may be revoked by the patient at any time in writing signed and sealed by him.

(6) Where the Public Trustee is committee of a patient at the time of his admission to a psychiatric facility, a certificate of incompetence shall be deemed to have been issued and forwarded to the Public Trustee under subsection 3.

(7) This section does not apply to a patient whose estate is under committeehip under *The Mental Incompetency Act*. *New.*

33.—(1) Notwithstanding that under *The Mental Incompetency Act* a person other than the Public Trustee has been appointed as the committee of the estate of a patient, the Supreme Court may at any time upon the application of the Public Trustee appoint him as committee in the stead of the

person appointed under that Act, and on appointment the Public Trustee has and may exercise all the rights and powers conferred upon him by this Act with regard to the management of estates.

(2) If at any time a committee of the estate of a patient is appointed under *The Mental Incompetency Act*, the Public Trustee thereupon ceases to be committee and shall account for and transfer to the committee so appointed the estate of the patient that has come into his hands. Duty of Public Trustee where committee appointed under R.S.O. 1960, c. 237

(3) An order shall not be made under *The Mental Incompetency Act* for the appointment of a committee of a patient without the consent of the Public Trustee unless seven days notice of the application has been given to him. Consent of Public Trustee to order

(4) The acts of the Public Trustee while committee of a patient are not rendered invalid by the making of an order appointing another committee. *New.* Acts of Public Trustee not affected

34. The Public Trustee is committee of the estate of a patient and shall assume management thereof, Where Public Trustee committee

(a) upon receipt of a certificate of incompetence;

(b) upon receipt of notice under subsection 4 of section 32; or

(c) upon receipt of an appointment under subsection 5 of section 32. *New.*

35. Upon the Public Trustee becoming committee of the estate of a patient, the officer-in-charge shall forthwith forward a financial statement in the prescribed form to the Public Trustee. *New.* Financial statement

36. The attending physician may, after examining a patient for that purpose, cancel the patient's certificate of incompetence, and in such case the officer-in-charge shall forward a notice of cancellation in the prescribed form to the Public Trustee. *New.* Cancellation of certificate of incompetence

37.—(1) A patient who is about to be discharged from a psychiatric facility and whose estate is being managed by the Public Trustee shall be examined by his attending physician to determine whether or not he will, upon discharge, be competent to manage his estate. Examination as to competency before discharge

(2) Where the attending physician is of the opinion, after the examination referred to in subsection 1, that the patient will not, upon discharge, be competent to manage his estate, Notice of continuance

he shall issue a notice of continuance in the prescribed form and the officer-in-charge shall forward the notice to the Public Trustee. *New.*

Where
Public
Trustee
ceases to be
committee

38. The Public Trustee ceases to be committee of the estate of a patient and shall relinquish management thereof,

- (a) upon receipt of notice of cancellation of the certificate of incompetence of the patient;
 - (b) upon receipt of a revocation in writing, signed and sealed by the patient, of an appointment referred to in subsection 5 of section 32;
 - (c) upon receipt of notice of discharge of the patient, unless he has at that time received a notice of continuance; or
 - (d) upon the expiration of three months after the patient's discharge, where a notice of continuance was received.
- New.*

Application
to review
board as to
competency

39.—(1) Where a certificate of incompetence or a notice of continuance has been issued, the patient may apply in the prescribed form to the chairman of the review board having jurisdiction to inquire into whether the patient is not competent to manage his estate.

Application
of secs. 28-30

(2) Except that applications may be made not more frequently than once in any twelve-month period, sections 28, 29 and 30 apply *mutatis mutandis* to applications under subsection 1. *New.*

Leave of
judge to
bring action

40. No person, other than the Public Trustee, shall bring an action as next friend of a person of whose estate the Public Trustee is committee under this Act or by an order made under this Act without the leave of a judge of the court in which the action is intended to be brought, and the Public Trustee shall be served with notice of the application for such leave. *New.*

Service of
documents

41. When an action or proceeding is brought or taken against a patient in a psychiatric facility for whom a committee has not been appointed by the court and such action or proceeding is in connection with the estate of such person, the writ or other document by which the proceedings are commenced and any other document requiring personal service shall be served upon the Public Trustee endorsed with a written statement of the name of the psychiatric facility in which the patient is located, and shall also be served upon

the patient, unless in the opinion of the attending physician personal service upon the patient would cause serious harm to him by reason of his mental condition, in which case it shall also be served upon the officer-in-charge. *New.*

42. The Public Trustee as committee of a patient has and may exercise all the rights and powers with regard to the estate of the patient that the patient would have if of full age and of sound and disposing mind. *New.*

Rights and powers of Public Trustee as committee

43. A person of whose estate the Public Trustee is committee under this Act or by an order made under this Act and his heirs, executors, administrators, next of kin, legatees, devisees and assigns shall have the same interest in any money or other property, real or personal, arising from a sale, mortgage, exchange or other disposition by the Public Trustee acting as such committee as they would have had in the property the subject of the sale, mortgage, exchange or other disposition if no sale, mortgage, exchange or other disposition had been made, and the surplus money or property shall be of the same nature as the property sold, mortgaged, exchanged or disposed of. *New.*

Nature of proceeds of sale, etc.

44. Upon the Public Trustee becoming committee of the estate of a person under this Act or by an order made under this Act, every power of attorney of such person is void. *New.*

When powers of attorney void

45. Any recital in a lease, mortgage or conveyance that a person is a patient in a psychiatric facility and that the Public Trustee is his committee is admissible in evidence as *prima facie* proof of the facts recited. *New.*

Recitals in documents

46. The powers conferred upon the Public Trustee as committee of the estate of a patient may be exercised,

Purposes for which powers of Public Trustee may be exercised

- (a) until the committee ship is terminated notwithstanding that the patient has been discharged from the psychiatric facility;
- (b) to carry out and complete any transaction entered into by the patient before he became a patient in a psychiatric facility;
- (c) to carry out and complete any transaction entered into by the committee notwithstanding that the committee ship has been terminated or that the patient has died after the transaction was commenced. *New.*

Lien of
Public
Trustee for
costs, etc.

47.—(1) The costs, charges and expenses of the Public Trustee, including the costs, charges and expenses of or arising from or out of the passing of his accounts, whether before or after the termination of the committeehip or the death of the person of whose estate he is committee under this Act or by an order made under this Act, and any moneys advanced or liability incurred by him for or on behalf of such person or for the maintenance of such person's family are a lien upon the real and personal property of such person.

Notice of
lien in
case of real
property

(2) In the case of real property, the Public Trustee may register in the proper registry or land titles office a certificate under his hand and seal of office giving notice of the lien claimed and the real property against which it is claimed.

Withholding
of moneys
to secure
costs

(3) Where the Public Trustee is proceeding to have his accounts passed after the termination of the committeehip or the death of a person referred to in subsection 1, the Public Trustee may withhold sufficient moneys from the person's estate to adequately secure the costs of or arising from or out of the passing of such accounts. *New.*

When gifts,
etc., deemed
fraudulent

48. Every gift, grant, alienation, conveyance or transfer of property made by a person who is or becomes a patient shall be deemed to be fraudulent and void as against the Public Trustee if the same was not made for full and valuable consideration actually paid or sufficiently secured to such person or if the purchaser or transferee had notice of his mental condition. *New.*

Death of
patient

49. Upon the death of a patient and until letters probate of the will or letters of administration to the estate of the patient are granted to a person other than the Public Trustee and notice thereof is given to the Public Trustee, the Public Trustee may continue to manage the estate and exercise with respect thereto the powers that an executor would have if the property were devised or bequeathed to him in trust for payment of debts and distribution of the residue. *New.*

Passing of
accounts

50. The Public Trustee is liable to render an account as to the manner in which he has managed the property of the patient in the same way and subject to the same responsibility as any trustee, guardian or committee duly appointed for a similar purpose may be called upon to account, and is entitled from time to time to bring in and pass his accounts and tax costs in like manner as a trustee but is personally liable only for wilful misconduct. *New.*

Compensa-
tion of
Public
Trustee

51. For the services rendered by the Public Trustee as committee of a patient, he may be allowed compensation not

exceeding the amount that a trustee would be allowed for like services, but in cases of poverty or hardship the Public Trustee may forego any claim for compensation. *New.*

52.—(1) Where a person with respect to whom a notice of continuance has been received by the Public Trustee may not, based upon a report of the attending physician or other evidence available to the Public Trustee, be competent to manage his estate upon the termination of the trusteeship or a person discharged has refused or neglected to take his property or any part thereof from the Public Trustee, the Public Trustee may apply to the Supreme Court for directions as to the disposal of such property, and the court may make such order as it deems just, and may in its discretion order that the Public Trustee continue to manage the estate of such person with all the rights and powers that the Public Trustee would have had under this Act if the trusteeship had not been terminated. *Application for directions*

(2) Where the Public Trustee continues to manage an estate under subsection 1, the Supreme Court may, upon application, make such further order as it deems just and may, in its discretion, order that the management of the estate by the Public Trustee be relinquished. *Further orders* *New.*

53. The Public Trustee shall, out of the money in his hands belonging to a patient for whom he is committee, pay the proper charges for his maintenance in the psychiatric facility in which he is a patient, and he may also pay such sums as he deems advisable to the patient's family or other persons dependent upon him, and the payments for the maintenance of the family and other dependants may be made notwithstanding that such payments may prevent the payment of maintenance that otherwise would be due from the patient. *Payments out of patient's moneys* *New.*

54. If there is any money in court to the credit of a patient, it shall be paid out to the Public Trustee upon his written application, and it is not necessary to obtain an order of the court or a judge for such purpose. *Payments out of moneys in court* *New.*

55. Nothing in this Act makes it the duty of the Public Trustee to institute proceedings on behalf of a patient or to intervene in respect of his estate or any part thereof or to take charge of any of his property. *What Public Trustee not required to do* *New.*

56.—(1) Where a person who is suffering from a mental disorder is a patient in a psychiatric facility in another province or territory of Canada and has estate situate in Ontario, the Lieutenant Governor in Council may appoint *Patients in another province with estate in Ontario*

the official of the other province or territory who is charged with the duty of managing the estate of such person in the other province or territory to be committee of the estate in Ontario.

Order
conclusive

(2) The order making the appointment is conclusive proof that all the conditions precedent to the appointment have been fulfilled.

Rights and
powers of
appointee

(3) The appointee under such an order possesses the same rights, powers, privileges and immunities as are conferred by this Act upon the Public Trustee and he is subject to the same obligations and shall perform the same duties. *New.*

PART IV

VETERANS

Agreement
with
Government
of Canada
authorized

57. The Lieutenant Governor in Council may authorize an agreement between Her Majesty the Queen in right of Ontario represented by the Minister and Her Majesty the Queen in right of Canada represented by the minister of any department of the Government of Canada as is from time to time charged with the observation, care and treatment of persons who are suffering from a mental disorder whereunder that department may establish, operate, maintain, control and direct in Ontario, psychiatric facilities within the meaning of this Act for the observation, care and treatment of such persons, and where such an agreement is made, it may provide that the provisions of Parts II and III of this Act and the relevant regulations, or any of them, apply *mutatis mutandis*. *New.*

PART V

MISCELLANEOUS

Limitation
of actions,
etc.

58. All actions, prosecutions or other proceedings against any person or psychiatric facility for anything done or omitted to be done in pursuance or intended pursuance of this Act or the regulations shall be commenced within six months after the act or omission complained of occurred and not afterwards. *New.*

Certain
actions
barred

59. No action lies against any psychiatric facility or any officer, employee or servant thereof for a tort of any patient. *New.*

60. Every person who contravenes or is a party to the ^{Offence} contravention, directly or indirectly, of any provision of this Act or the regulations is guilty of an offence and on summary conviction is liable to a fine of not less than \$25 and not more than \$500. *New.*

61.—(1) The Lieutenant Governor in Council may make ^{Regulations} regulations,

- (a) designating and classifying psychiatric facilities, and exempting any psychiatric facility or class thereof from the application of any provision of the regulations made under clause *b*;
- (b) in respect of psychiatric facilities or any class thereof,
 - (i) providing for the creation, establishment, construction, alteration, renovation and maintenance thereof,
 - (ii) prescribing the accommodation, facilities, equipment and services thereof,
 - (iii) providing for the government, management, conduct, operation, use and control thereof,
 - (iv) providing for the officers and staff and prescribing their qualifications,
 - (v) prescribing the forms, records, books, returns and reports to be made and kept in connection therewith and providing for returns, reports and information to be furnished to the Department;
- (c) prescribing additional duties of officers designated and persons appointed under subsection 1 of section 4;
- (d) prescribing the classes of grants by way of provincial aid to any psychiatric facility or class thereof and the methods of determining the amounts of grants and providing for the manner and times of payment and the suspension and withholding of grants and for the making of deductions from grants.
- (e) exempting any psychiatric facility or class thereof from the application of Part II;
- (f) classifying patients, and limiting the classes of patients that may be admitted to any psychiatric facility or class thereof;

- (g) respecting the examination and detention of persons and the admission, detention, leave of absence, absence without authorization, transfer, discharge and placement of patients;
- (h) prescribing the manner in which applications may be made to a review board;
- (i) governing and regulating hearings and other proceedings of review boards and advisory review boards;
- (j) prescribing the time in which decisions of review boards or recommendations of advisory review boards shall be transmitted;
- (k) providing for the remuneration and expenses of members of review boards and advisory review boards;
- (l) conferring ancillary functions upon review boards and advisory review boards;
- (m) exempting any psychiatric facility or class thereof from the application of Part III;
- (n) prescribing forms and providing for their use;
- (o) respecting any matter necessary or advisable to carry out effectively the intent and purpose of this Act.

Relief from
compliance

- (2) Where, in the opinion of the Minister,
 - (a) it is impracticable for a psychiatric facility to comply with any provision of the regulations made under clause *b* of subsection 1, and
 - (b) it is in the best interests of the population served by such psychiatric facility,

he may, by his authorization in writing, relieve such psychiatric facility from the application of such provision for such period and upon such conditions as he specifies in the authorization.

R.S.O. 1960,
c. 349 not
to apply

- (3) *The Regulations Act* does not apply to an authorization of the Minister made under subsection 2. 1966, c. 87, s. 6, amended.

- 62.** *The Mental Health Act, 1966* is repealed. 1966, c. 87,
repealed
- 63.** This Act comes into force on a day to be named by the Lieutenant Governor by his proclamation. Commence-
ment
- 64.** This Act may be cited as *The Mental Health Act, 1967*. Short title

The Mental Health Act, 1967

1st Reading

May 19th, 1967

2nd Reading

3rd Reading

MR. DYMOND

BILL 127

**5TH SESSION, 27TH LEGISLATURE, ONTARIO
15-16 ELIZABETH II, 1967**

The Mental Health Act, 1967

MR. DYMOND

(Reprinted as amended by the Committee on Health)

TORONTO

PRINTED AND PUBLISHED BY FRANK FOGG, QUEEN'S PRINTER

EXPLANATORY NOTE

This Bill is designed as an umbrella statute to govern the overall co-ordination of the mental health programme in Ontario. The Bill embraces all psychiatric facilities and will foster the development and maintenance throughout the Province of an integrated system of comprehensive mental health services. Provisions of the Bill apply to provincially-operated mental hospitals, community psychiatric hospitals, privately-owned psychiatric hospitals, psychiatric wards of general hospitals and various other designated facilities. The administrative organization and structure of psychiatric facilities will continue to be dealt with in other legislation. Consequently, the proposed statute will be compatible with existing patterns of administration, and supportive to any change of policy in this regard.

Part I of the Bill relates to standards, and regulations contemplated will govern the establishment of facilities, the range of services offered and the level of patient care provided.

Since the provisions contained in Part II will be of wider application than to provincially-operated mental hospitals, the possibility of a greater number of patients being treated in their own community will be enhanced.

The terminology employed is fully brought into line with modern thinking. References to epileptics have been entirely deleted. The cumbersome provisions dealing with habitues are discontinued. Mental disorder, the new generic term, is defined as any disease or disability of the mind. This term will apply to children as well as adults. As in the treatment of physical illness, specific reference to children is not considered necessary or desirable in legislation of this nature.

Admission to a psychiatric facility is placed upon a basis parallel to that employed in the case of hospitalization for physical illness.

Compulsory procedures are streamlined to permit needed examination to be effected without unnecessary involvement or delay. Emphasis is, all the while, given to the rights of the individual. Criteria for the adoption of compulsory measures are more restrictive than those formerly in use. In circumstances where compulsion is indicated, statutory conditions precedent must be fulfilled to ensure the least possible degree of interference with the person. Court hearings held merely to determine the need for hospitalization are abolished. Mandatory hospital admissions upon the judgment of police officers alone are no longer authorized. Powers of judicial and police officers are continued, to assist in arranging examination.

Medical certification will not, as before, serve as authority to detain for an absolute indeterminate time. Continued detention will be sanctioned only by renewal certificates issued at intervals designated by law.

The Bill contemplates wider availability of psychiatric services to the courts in connection with persons charged with or convicted of an offence. Prisoners under sentence in penal and correctional institutions will be eligible for admission to a psychiatric facility in a manner no different from that enjoyed by citizens in the community.

Censorship of mail is for the first time restricted to conditions prescribed by the Bill.

In keeping with a more positive approach, the system of release on probation is not retained. A patient placed in the community is to be discharged, unless his return to the psychiatric facility is prearranged. The procedures for retaking a patient who is absent from a psychiatric facility without authorization are modified to give greater protection to the individual.

Review boards will have jurisdiction over all psychiatric facilities in which patients may be hospitalized involuntarily. The right to a review will arise each time the authority for a patient's detention is renewed.

The establishment of advisory review boards carries with it the guarantee that no patient—even those involved with the criminal law—detained in a psychiatric facility anywhere in Ontario will be without a right to an independent review. Cases of those who are detained under warrant of the Lieutenant Governor will be reviewed whether or not requests for review are made.

Part III concerns the administration of estates of patients in psychiatric facilities. The application of this system to a broader range of psychiatric facilities will ensure estate protection on a more appropriate basis. The system under the present law provides for committee ship depending upon the method of admission to a mental hospital. Under that system, the way is left open to unwarranted committee ship, or absence of committee ship where it might be desirable. Each case under the proposed Act will be considered on its individual merits by the attending physician, thereby providing the necessary degree of selectivity. The powers and duties of the Public Trustee are not substantially altered.

Authorization of federal-provincial agreements with respect to Federal psychiatric facilities, such as those for war veterans, is contained in Part IV.

Complementary Bills will be introduced to repeal the Acts and parts of Acts covered by this Bill.

BILL 127

1967

The Mental Health Act, 1967

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. In this Act,

Interpre-
tation

- (a) "attending physician" means the physician to whom responsibility for the observation, care and treatment of a patient has been assigned;
- (b) "Department" means the Department of Health;
- (c) "Deputy Minister" means the Deputy Minister of Health;
- (d) "local board of health" has the same meaning as local board in *The Public Health Act*; R.S.O. 1960,
c. 321
- (e) "medical officer of health" has the same meaning as in *The Public Health Act*;
- (f) "mental disorder" means any disease or disability of the mind;
- (g) "Minister" means the Minister of Health;
- (h) "officer-in-charge" means the officer who is responsible for the administration and management of a psychiatric facility;
- (i) "patient" means a person who is under observation, care and treatment in a psychiatric facility;
- (j) "physician" means a duly qualified medical practitioner;
- (k) "psychiatric facility" means a facility for the observation, care and treatment of persons suffering from mental disorder, and designated as such by the regulations;

- (l) "psychiatrist" means a physician who holds a specialist's certificate in psychiatry issued by The Royal College of Physicians and Surgeons of Canada or equivalent qualification acceptable to the Minister;
- (m) "regulations" means the regulations made under this Act;
- (n) "senior physician" means the physician responsible for the clinical services in a psychiatric facility. 1966, c. 87, s. 1, *amended*.

PART I

STANDARDS

Application
of Act

2. This Act applies to every psychiatric facility. 1966, c. 87, s. 2, *amended*.

Conflict

3. Every psychiatric facility has power to carry on its undertaking as authorized by any Act, but, where the provisions of any Act conflict with the provisions of this Act or the regulations, the provisions of this Act and the regulations prevail. *New*.

Advisory
officers

4.—(1) The Minister may designate officers of the Department or appoint persons who shall advise and assist medical officers of health, local boards of health, hospitals and other bodies and persons in all matters pertaining to mental health and who shall have such other duties as are assigned to them by this Act or the regulations.

Powers

(2) Any such officer or person may at any time, and shall be permitted so to do by the authorities thereat, visit and inspect any psychiatric facility, and in so doing may interview patients, examine books, records and other documents relating to patients, examine the condition of the psychiatric facility and its equipment, and inquire into the adequacy of its staff, the range of services provided and any other matter he deems relevant to the maintenance of standards of patient care. 1966, c. 87, s. 4, *amended*.

Provincial
aid

5. The Minister may pay psychiatric facilities provincial aid in such manner, in such amounts and under such conditions as are prescribed by the regulations. *New*.

PART II

HOSPITALIZATION

Where
admission
may be
refused

6. Notwithstanding this or any other Act, admission to a psychiatric facility may be refused where the immediate needs in the case of the proposed patient are such that hospitalization is not urgent or necessary. *New*.

7. Any person who is believed to be in need of the observation, care and treatment provided in a psychiatric facility may be admitted thereto as an informal patient upon the recommendation of a physician. *New.* Admission of informal patients

8.—(1) Any person who, Admission of involuntary patients

(a) suffers from mental disorder of a nature or degree so as to require hospitalization in the interests of his own safety or the safety of others; and

(b) is not suitable for admission as an informal patient,

may be admitted as an involuntary patient to a psychiatric facility upon application therefor in the prescribed form signed by a physician.

(2) It shall be stated and shown clearly that the physician signing the application personally examined the person who is the subject of the application and made due inquiry into all of the facts necessary for him to form a satisfactory opinion. Contents of application

(3) The physician signing the application shall also in the application state the facts upon which he has formed his opinion of the mental disorder, distinguishing the facts observed by him from the facts communicated to him by others, and shall note the date upon which the examination was made. Idem

(4) Every such application shall be completed no later than seven days after the examination referred to therein, and no person shall be admitted to a psychiatric facility upon an application except within fourteen days of the date on which the application was completed. Time limits

(5) Such an application is sufficient authority, Authority of application

(a) to any person to convey the person who is the subject of the application to a psychiatric facility; and

(b) to the authorities thereof to admit and detain him therein for a period of not more than one month. *New.*

9.—(1) Where information upon oath is brought before a justice of the peace that a person, within the limits of his jurisdiction, Justice of the peace's order for examination

(a) is believed to be suffering from mental disorder; and

(b) should be examined in the interest of his own safety or the safety of others,

the justice may, if he is satisfied that,

(c) such examination is necessary; and

(d) such examination can be arranged in no other way,

issue his order for examination in the prescribed form.

**Contents
of order**

(2) In every order under this section it shall be stated and shown clearly that the justice issuing the order made due inquiry into all of the facts necessary for him to form a satisfactory opinion.

Idem

(3) An order under this section may be directed to all or any constables or other peace officers of the locality within which the justice has jurisdiction and shall name or otherwise describe the person with respect to whom the order has been made.

**Authority
of order**

(4) An order under this section shall direct, and is sufficient authority for, any constable or other peace officers to whom it is addressed to take the person named or described therein to an appropriate place where he may be detained for medical examination. *New.*

**Action by
peace officer**

10. Where a constable or other peace officer observes a person,

(a) apparently suffering from mental disorder; and

(b) acting in a manner that in a normal person would be disorderly,

the officer may, if he is satisfied that,

(c) the person should be examined in the interests of his own safety or the safety of others; and

(d) the circumstances are such that to proceed under section 9 would be dangerous,

take the person to an appropriate place where he may be detained for medical examination, *New.*

11. An examination referred to in section 9 or 10 shall be conducted forthwith and, wherever practicable, the place of examination shall be a psychiatric or other health facility.
New.

12. An informal patient may, upon completion of the prescribed form, be continued as an involuntary patient, and in any such case section 8 applies *mutatis mutandis*. *New.*

13.—(1) The period of detention of an involuntary patient may be extended upon the completion of a certificate of renewal in the prescribed form by the attending physician after personal examination.

(2) The attending physician shall not complete a certificate of renewal unless the patient,

- (a) suffers from mental disorder of a nature or degree so as to require further hospitalization in the interests of his own safety or the safety of others; and
- (b) is not suitable to be continued as an informal patient.

(3) A certificate of renewal is authority to detain the patient as follows:

1. First certificate—not more than two additional months.
2. Second certificate—not more than three additional months.
3. Third certificate—not more than six additional months.
4. Fourth certificate—not more than twelve additional months.
5. Each subsequent certificate—not more than twelve additional months.

(4) An involuntary patient whose authorized period of detention has expired shall be deemed to be an informal patient.

(5) An involuntary patient whose authorized period of detention has not expired may be continued as an informal patient upon completion of the prescribed form by the attending physician. *New.*

14.—(1) Where a judge or magistrate has reason to believe that a person who appears before him charged with or convicted of an offence suffers from mental disorder, the judge or magistrate may order the person to attend a psychiatric facility for examination.

Senior
physician's
report

(2) Where an examination is made under this section, the senior physician shall report in writing to the judge or magistrate as to the mental condition of the person.

Judge's
order for
treatment

(3) If the senior physician reports that the person examined needs treatment, the judge or magistrate may order the person to attend a psychiatric facility for treatment. *New.*

Judge's
order for
admission

15.—(1) Where a judge or magistrate has reason to believe that a person in custody who appears before him charged with an offence suffers from mental disorder, the judge or magistrate may, by order, remand that person for admission as a patient to a psychiatric facility for a period of not more than two months.

Senior
physician's
report

(2) Before the expiration of the time mentioned in such order, the senior physician shall report in writing to the judge or magistrate as to the mental condition of the person. *New.*

Condition
precedent
to judge's
order

16. A judge or magistrate shall not make an order under section 14 or 15 until he ascertains from the senior physician of a psychiatric facility that the services of the psychiatric facility are available to the person to be named in the order. *New.*

Contents of
senior
physician's
report

17. Notwithstanding this or any other Act or any regulation made under any other Act, the senior physician may report all or any part of the information compiled by the psychiatric facility to any person where, in the opinion of the senior physician, it is in the best interests of the person who is the subject of an order made under section 14 or 15. *New.*

Persons
detained
under
1953-54, c. 51
(Can.)

18. Any person who, pursuant to the *Criminal Code* (Canada), is

(a) remanded to custody for observation; or

(b) detained under the authority of a warrant of the Lieutenant Governor,

may be admitted to, detained in, and discharged from a psychiatric facility in accordance with law. *New.*

Communi-
cations to
and from
patients

19.—(1) Except as provided in this section, no communication written by a patient or sent to a patient shall be opened, examined, withheld, or its delivery in any way obstructed or delayed.

Where
communica-
tion may be
withheld

(2) Where the officer-in-charge or a person acting under his authority has reasonable and probable cause to believe,

(a) that the contents of a communication written by a patient would,

(i) be unreasonably offensive to the addressee, or

(ii) prejudice the best interests of the patient; or

(b) that the contents of a communication sent to a patient would,

(i) interfere with the treatment of the patient, or

(ii) cause the patient unnecessary distress,

the officer-in-charge or a person acting under his authority may open and examine the contents thereof and, if any condition mentioned in clause *a* or *b*, as the case may be, exists, may withhold such communication from delivery.

(3) Subsection 2 does not apply to a communication written by a patient to, or appearing to be sent to a patient by, ^{Exceptions}

(a) a barrister and solicitor;

(b) a member of a review board or advisory review board under this Act; or

(c) a member of the Assembly. *New.*

20.—(1) The officer-in-charge may, upon the advice of the attending physician, place a patient on leave of absence from the psychiatric facility for a designated period of not more than three months, if the intention is that the patient shall return thereto. ^{Leave of absence}

(2) Leave of absence may be permitted upon such terms and conditions as the officer-in-charge may prescribe. ^{Terms and conditions}

(3) Subsection 1 does not authorize the placing of a patient on leave of absence where he is subject to detention otherwise than under this Act. *New.* ^{Exception}

21.—(1) A patient who is subject to detention and who, without authorization, is absent from a psychiatric facility may be returned thereto by a constable or other peace officer or by any person appointed by the officer-in-charge, ^{Unauthorized absence}

(a) within twenty-four hours after his absence becomes known to the officer-in-charge; or

- (b) under the authority of an order in the prescribed form issued by the officer-in-charge, within one month after his absence becomes known to the officer-in-charge.

Detention
during
return

- (2) A patient who is being returned under subsection 1 may be detained in an appropriate place in the course of his return.

Period of
detention
upon
return

- (3) For the purposes of this Act, a patient who is returned under subsection 1 may be detained for the remainder of the period of detention to which he was subject when his absence became known to the officer-in-charge.

Where not
returned

- (4) Where a patient is not returned within one month after his absence became known to the officer-in-charge, he shall, unless subject to detention otherwise than under this Act, be deemed to be discharged from the psychiatric facility.

Prohibitions

- (5) No person shall do or omit to do any act for the purpose of aiding, assisting, abetting or counselling a patient in a psychiatric facility to be absent without authorization. *New.*

Transfer
of patients
from one
facility to
another

- 22.**—(1) Upon the advice of the attending physician, the officer-in-charge of a psychiatric facility may, if otherwise permitted by law and subject to arrangements being made with the officer-in-charge of another psychiatric facility, transfer a patient to such other psychiatric facility upon completing a memorandum of transfer in the prescribed form.

Authority
to detain

- (2) Where a patient is transferred under subsection 1, the authority to detain him continues in force in the psychiatric facility to which he is so transferred. *New.*

Treatment
in public
hospital

- 23.**—(1) Upon the advice of the attending physician that a patient requires hospital treatment that cannot be supplied in the psychiatric facility, the officer-in-charge may, if otherwise permitted by law, transfer the patient to a public hospital for such treatment and return him to the psychiatric facility upon the conclusion thereof.

Powers of
superin-
tendent

- (2) Where a patient is transferred under subsection 1, the superintendent of the public hospital has, in addition to the powers conferred upon him by the Act under which the hospital operates, the powers under this Act of an officer-in-charge of a psychiatric facility in respect of the custody and control of the patient. *New.*

24. Where it appears to the Minister,

Transfer
of patients to
institutions
outside
Ontario

- (a) that a patient in a psychiatric facility has come or been brought into Ontario from elsewhere and his hospitalization is the responsibility of another jurisdiction; or
- (b) that it would be in the best interests of a patient in a psychiatric facility to be hospitalized in another jurisdiction,

the Minister may, upon compliance in Ontario *mutatis mutandis* with the laws respecting hospitalization in such other jurisdiction, by warrant in the prescribed form authorize his transfer thereto. *New.*

25.—(1) Where the Minister has reason to believe that a person suffering from a mental disorder may come or be brought into Ontario from elsewhere, the Minister may issue a warrant in the prescribed form which is sufficient authority to any person to convey the person named therein to a psychiatric facility and to the authorities thereof to admit and detain him.

Mentally
disordered
persons
coming into
Ontario

(2) A person admitted to a psychiatric facility under subsection 1 shall be deemed to have been admitted as an involuntary patient under section 8. *New.*

Idem

26.—(1) A patient shall be discharged from a psychiatric facility when he is no longer in need of the observation, care and treatment provided therein.

Discharge
of patients

(2) Subsection 1 does not authorize the discharge into the community of a patient who is subject to detention otherwise than under this Act. *New.*

Exception

27.—(1) The Lieutenant Governor in Council may appoint a review board for any one or more psychiatric facilities.

Review
boards

(2) A review board shall be composed of three or five members, at least one and not more than two of whom are psychiatrists and at least one and not more than two of whom are barristers and solicitors and at least one of whom is not a psychiatrist or a barrister and solicitor.

Composition

(3) The Lieutenant Governor in Council may designate one of the members of a review board as chairman.

Chairman

(4) The Lieutenant Governor in Council may appoint alternate members to a review board, and, where for any reason a member cannot act, the alternate member appropriate to comply with subsection 2 shall act in his stead.

Alternate
members

- Disqualifi-
cation** (5) An officer or servant of, or a person with a direct financial interest in, a psychiatric facility shall not act as a member of a review board when the case of a patient of that facility is being reviewed.
- Term of
of office** (6) A member shall hold office for the period, not to exceed three years, specified in his appointment, but is eligible for re-appointment at the expiration of his term of office.
- Quorum** (7) A psychiatrist and a barrister and solicitor and another member who is not a psychiatrist or a barrister and solicitor constitute a quorum, and the decision of a majority is the decision of the review board. *New.*
- Application
for review by
patient, etc.** **28.**—(1) An involuntary patient, or any person on his behalf, may apply in the prescribed form to the chairman of the review board having jurisdiction to inquire into whether the patient suffers from mental disorder of a nature or degree so as to require hospitalization in the interests of his own safety or the safety of others.
- When
application
may be made** (2) An application under subsection 1 may be made,
- (a) when any certificate of renewal respecting the patient comes into force; or
 - (b) when the patient, after having been admitted to a psychiatric facility, is subsequently continued as an involuntary patient.
- Application
for review
by Minister,
etc.** (3) An application under subsection 1 may be made at any time by the Minister, the Deputy Minister or the officer-in-charge in respect of any involuntary patient. *New.*
- Inquiry
and
hearing** **29.**—(1) Upon receipt of an application by the chairman, the review board shall conduct such inquiry as it considers necessary to reach a decision and may hold a hearing, which in the discretion of the review board may be *in camera*, for the purpose of receiving oral testimony.
- Attendance
of patient
at hearing** (2) Where a hearing is held, the patient may attend the hearing unless otherwise directed by the chairman and, where he does not attend, he may have a person appear as his representative.
- Rights of
patient at
hearing** (3) Where a hearing is held, the patient or his representative may call witnesses and make submissions and, with the permission of the chairman, may cross-examine witnesses.

(4) The officer-in-charge shall, for the purpose of an inquiry, furnish the chairman with such information and reports as the chairman requests. Information. reports, etc.

(5) The review board or any member thereof may interview a patient or other person in private. *New.* Interview may be private

30.—(1) Upon the conclusion of an inquiry, the chairman shall prepare a written report of the decision of the review board and within the time prescribed by the regulations transmit a copy thereof to the applicant and to the officer-in-charge where he is not the applicant. Report

(2) Upon receipt of a copy of the decision, the officer-in-charge shall take any action required to give effect thereto. *New.* Implementation of report

31.—(1) The Lieutenant Governor in Council may appoint an advisory review board for any one or more psychiatric facilities that has a review board. Advisory review boards

(2) An advisory review board shall be composed of a judge or a retired judge of the Supreme Court who shall serve as chairman, a psychiatrist and any three members who constitute a quorum of the review board. Composition

(3) Subsections 4, 5 and 6 of section 27 apply *mutatis mutandis* to the members of an advisory review board. Alternate members, etc.

(4) The five members of an advisory review board constitute a quorum and the recommendation of a four-fifths majority is the recommendation of the advisory review board. *New.* Quorum

(5) The case of every patient in a psychiatric facility who is detained under the authority of a warrant of the Lieutenant Governor under the *Criminal Code* (Canada) shall be considered by the advisory review board having jurisdiction once in every year, commencing with the year next after the year in which the warrant was issued. Functions 1953-54, c. 51 (Can.)

(6) Notwithstanding subsection 5, the advisory review board shall consider the case of any patient to which that subsection applies at any time upon the written request of the Minister. Idem

(7) Section 29 applies *mutatis mutandis* to cases under this section. Application of sec. 29

(8) Upon the conclusion of an inquiry, the chairman shall prepare a written report of the recommendations of the advisory review board and, within the time prescribed by the Report

regulations, shall transmit a copy thereof to the Lieutenant Governor in Council, and may in his discretion transmit a copy thereof to any other person. *New.*

PART III

ESTATES

32.—(1) Forthwith upon the admission of a patient to a psychiatric facility, he shall be examined by a physician to determine whether he is competent to manage his estate.

(2) The attending physician may examine a patient at any time to determine whether he is competent to manage his estate.

(3) If, after an examination under subsection 1 or 2, the examining physician is of the opinion that the patient is not competent to manage his estate, he shall issue a certificate of incompetence in the prescribed form and the officer-in-charge shall forward the certificate to the Public Trustee.

(4) Where circumstances are such that the Public Trustee should immediately assume management of an estate, the officer-in-charge shall notify the Public Trustee in the fastest manner possible that a certificate of incompetence has been issued.

(5) Notwithstanding that no certificate of incompetence has been issued in his case, a patient may, at any time, in writing signed and sealed by him, appoint the Public Trustee as committee of his estate while he is a patient in a psychiatric facility, and any such appointment may be revoked by the patient at any time in writing signed and sealed by him.

(6) Where the Public Trustee is committee of a patient at the time of his admission to a psychiatric facility, a certificate of incompetence shall be deemed to have been issued and forwarded to the Public Trustee under subsection 3.

(7) This section does not apply to a patient whose estate is under committeehip under *The Mental Incompetency Act*. *New.*

33.—(1) Notwithstanding that under *The Mental Incompetency Act* a person other than the Public Trustee has been appointed as the committee of the estate of a patient, the Supreme Court may at any time upon the application of the Public Trustee appoint him as committee in the stead of the

person appointed under that Act, and on appointment the Public Trustee has and may exercise all the rights and powers conferred upon him by this Act with regard to the management of estates.

(2) If at any time a committee of the estate of a patient is appointed under *The Mental Incompetency Act*, the Public Trustee thereupon ceases to be committee and shall account for and transfer to the committee so appointed the estate of the patient that has come into his hands. Duty of Public Trustee where committee appointed under R.S.O. 1960, c. 237

(3) An order shall not be made under *The Mental Incompetency Act* for the appointment of a committee of a patient without the consent of the Public Trustee unless seven days notice of the application has been given to him. Consent of Public Trustee to order

(4) The acts of the Public Trustee while committee of a patient are not rendered invalid by the making of an order appointing another committee. *New.* Acts of Public Trustee not affected

34. The Public Trustee is committee of the estate of a patient and shall assume management thereof, Where Public Trustee committee

(a) upon receipt of a certificate of incompetence;

(b) upon receipt of notice under subsection 4 of section 32; or

(c) upon receipt of an appointment under subsection 5 of section 32. *New.*

35. Upon the Public Trustee becoming committee of the estate of a patient, the officer-in-charge shall forthwith forward a financial statement in the prescribed form to the Public Trustee. *New.* Financial statement

36. The attending physician may, after examining a patient for that purpose, cancel the patient's certificate of incompetence, and in such case the officer-in-charge shall forward a notice of cancellation in the prescribed form to the Public Trustee. *New.* Cancellation of certificate of incompetence

37.—(1) A patient who is about to be discharged from a psychiatric facility and whose estate is being managed by the Public Trustee shall be examined by his attending physician to determine whether or not he will, upon discharge, be competent to manage his estate. Examination as to competency before discharge

(2) Where the attending physician is of the opinion, after the examination referred to in subsection 1, that the patient will not, upon discharge, be competent to manage his estate, Notice of continuance

he shall issue a notice of continuance in the prescribed form and the officer-in-charge shall forward the notice to the Public Trustee. *New.*

Where
Public
Trustee
ceases to be
committee

38. The Public Trustee ceases to be committee of the estate of a patient and shall relinquish management thereof,

- (a) upon receipt of notice of cancellation of the certificate of incompetence of the patient;
 - (b) upon receipt of a revocation in writing, signed and sealed by the patient, of an appointment referred to in subsection 5 of section 32;
 - (c) upon receipt of notice of discharge of the patient, unless he has at that time received a notice of continuance; or
 - (d) upon the expiration of three months after the patient's discharge, where a notice of continuance was received.
- New.*

Application
to review
board as to
competency

39.—(1) Where a certificate of incompetence or a notice of continuance has been issued, the patient may apply in the prescribed form to the chairman of the review board having jurisdiction to inquire into whether the patient is not competent to manage his estate.

Application
of secs. 28-30

(2) Except that applications may be made not more frequently than once in any twelve-month period, sections 28, 29 and 30 apply *mutatis mutandis* to applications under subsection 1. *New.*

Leave of
judge to
bring action

40. No person, other than the Public Trustee, shall bring an action as next friend of a person of whose estate the Public Trustee is committee under this Act or by an order made under this Act without the leave of a judge of the court in which the action is intended to be brought, and the Public Trustee shall be served with notice of the application for such leave. *New.*

Service of
documents

41. When an action or proceeding is brought or taken against a patient in a psychiatric facility for whom a committee has not been appointed by the court and such action or proceeding is in connection with the estate of such person, the writ or other document by which the proceedings are commenced and any other document requiring personal service shall be served upon the Public Trustee endorsed with a written statement of the name of the psychiatric facility in which the patient is located, and shall also be served upon

the patient, unless in the opinion of the attending physician personal service upon the patient would cause serious harm to him by reason of his mental condition, in which case it shall also be served upon the officer-in-charge. *New.*

42. The Public Trustee as committee of a patient has and may exercise all the rights and powers with regard to the estate of the patient that the patient would have if of full age and of sound and disposing mind. *New.*

Rights and powers of Public Trustee as committee

43. A person of whose estate the Public Trustee is committee under this Act or by an order made under this Act and his heirs, executors, administrators, next of kin, legatees, devisees and assigns shall have the same interest in any money or other property, real or personal, arising from a sale, mortgage, exchange or other disposition by the Public Trustee acting as such committee as they would have had in the property the subject of the sale, mortgage, exchange or other disposition if no sale, mortgage, exchange or other disposition had been made, and the surplus money or property shall be of the same nature as the property sold, mortgaged, exchanged or disposed of. *New.*

Nature of proceeds of sale, etc.

44. Upon the Public Trustee becoming committee of the estate of a person under this Act or by an order made under this Act, every power of attorney of such person is void. *New.*

When powers of attorney void

45. Any recital in a lease, mortgage or conveyance that a person is a patient in a psychiatric facility and that the Public Trustee is his committee is admissible in evidence as *prima facie* proof of the facts recited. *New.*

Recitals in documents

46. The powers conferred upon the Public Trustee as committee of the estate of a patient may be exercised,

Purposes for which powers of Public Trustee may be exercised

- (a) until the committee ship is terminated notwithstanding that the patient has been discharged from the psychiatric facility;
- (b) to carry out and complete any transaction entered into by the patient before he became a patient in a psychiatric facility;
- (c) to carry out and complete any transaction entered into by the committee notwithstanding that the committee ship has been terminated or that the patient has died after the transaction was commenced. *New.*

Lien of
Public
Trustee for
costs, etc.

47.—(1) The costs, charges and expenses of the Public Trustee, including the costs, charges and expenses of or arising from or out of the passing of his accounts, whether before or after the termination of the committeehip or the death of the person of whose estate he is committee under this Act or by an order made under this Act, and any moneys advanced or liability incurred by him for or on behalf of such person or for the maintenance of such person's family are a lien upon the real and personal property of such person.

Notice of
lien in
case of real
property

(2) In the case of real property, the Public Trustee may register in the proper registry or land titles office a certificate under his hand and seal of office giving notice of the lien claimed and the real property against which it is claimed.

Withholding
of moneys
to secure
costs

(3) Where the Public Trustee is proceeding to have his accounts passed after the termination of the committeehip or the death of a person referred to in subsection 1, the Public Trustee may withhold sufficient moneys from the person's estate to adequately secure the costs of or arising from or out of the passing of such accounts. *New.*

When gifts,
etc., deemed
fraudulent

48. Every gift, grant, alienation, conveyance or transfer of property made by a person who is or becomes a patient shall be deemed to be fraudulent and void as against the Public Trustee if the same was not made for full and valuable consideration actually paid or sufficiently secured to such person or if the purchaser or transferee had notice of his mental condition. *New.*

Death of
patient

49. Upon the death of a patient and until letters probate of the will or letters of administration to the estate of the patient are granted to a person other than the Public Trustee and notice thereof is given to the Public Trustee, the Public Trustee may continue to manage the estate and exercise with respect thereto the powers that an executor would have if the property were devised or bequeathed to him in trust for payment of debts and distribution of the residue. *New.*

Passing of
accounts

50. The Public Trustee is liable to render an account as to the manner in which he has managed the property of the patient in the same way and subject to the same responsibility as any trustee, guardian or committee duly appointed for a similar purpose may be called upon to account, and is entitled from time to time to bring in and pass his accounts and tax costs in like manner as a trustee but is personally liable only for wilful misconduct. *New.*

Compensa-
tion of
Public
Trustee

51. For the services rendered by the Public Trustee as committee of a patient, he may be allowed compensation not

exceeding the amount that a trustee would be allowed for like services, but in cases of poverty or hardship the Public Trustee may forego any claim for compensation. *New.*

52.—(1) Where a person with respect to whom a notice of continuance has been received by the Public Trustee may not, based upon a report of the attending physician or other evidence available to the Public Trustee, be competent to manage his estate upon the termination of the committeehip or a person discharged has refused or neglected to take his property or any part thereof from the Public Trustee, the Public Trustee may apply to the Supreme Court for directions as to the disposal of such property, and the court may make such order as it deems just, and may in its discretion order that the Public Trustee continue to manage the estate of such person with all the rights and powers that the Public Trustee would have had under this Act if the committeehip had not been terminated. *Application for directions*

(2) Where the Public Trustee continues to manage an estate under subsection 1, the Supreme Court may, upon application, make such further order as it deems just and may, in its discretion, order that the management of the estate by the Public Trustee be relinquished. *Further orders* *New.*

53. The Public Trustee shall, out of the money in his hands belonging to a patient for whom he is committee, pay the proper charges for his maintenance in the psychiatric facility in which he is a patient, and he may also pay such sums as he deems advisable to the patient's family or other persons dependent upon him, and the payments for the maintenance of the family and other dependants may be made notwithstanding that such payments may prevent the payment of maintenance that otherwise would be due from the patient. *Payments out of patient's moneys* *New.*

54. If there is any money in court to the credit of a patient, it shall be paid out to the Public Trustee upon his written application, and it is not necessary to obtain an order of the court or a judge for such purpose. *Payments out of moneys in court* *New.*

55. Nothing in this Act makes it the duty of the Public Trustee to institute proceedings on behalf of a patient or to intervene in respect of his estate or any part thereof or to take charge of any of his property. *What Public Trustee not required to do* *New.*

56.—(1) Where a person who is suffering from a mental disorder is a patient in a psychiatric facility in another province or territory of Canada and has estate situate in Ontario, the Lieutenant Governor in Council may appoint *Patients in another province with estate in Ontario*

the official of the other province or territory who is charged with the duty of managing the estate of such person in the other province or territory to be committee of the estate in Ontario.

Order
conclusive

(2) The order making the appointment is conclusive proof that all the conditions precedent to the appointment have been fulfilled.

Rights and
powers of
appointee

(3) The appointee under such an order possesses the same rights, powers, privileges and immunities as are conferred by this Act upon the Public Trustee and he is subject to the same obligations and shall perform the same duties. *New.*

PART IV

VETERANS, ETC.

Agreement
with
Government
of Canada
authorized

57. The Lieutenant Governor in Council may authorize an agreement between Her Majesty the Queen in right of Ontario represented by the Minister and Her Majesty the Queen in right of Canada represented by the minister of any department of the Government of Canada as is from time to time charged with the observation, care and treatment of persons who are suffering from a mental disorder whereunder that department may establish, operate, maintain, control and direct in Ontario, psychiatric facilities within the meaning of this Act for the observation, care and treatment of such persons, and where such an agreement is made, it may provide that the provisions of Parts II and III of this Act and the relevant regulations, or any of them, apply *mutatis mutandis*. *New.*

PART V

MISCELLANEOUS

Limitation
of actions,
etc.

58. All actions, prosecutions or other proceedings against any person or psychiatric facility for anything done or omitted to be done in pursuance or intended pursuance of this Act or the regulations shall be commenced within six months after the act or omission complained of occurred and not afterwards. *New.*

Certain
actions
barred

59. No action lies against any psychiatric facility or any officer, employee or servant thereof for a tort of any patient. *New.*

60. Every person who contravenes or is a party to the ^{Offence} contravention, directly or indirectly, of any provision of this Act or the regulations is guilty of an offence and on summary conviction is liable to a fine of not less than \$25 and not more than \$500. *New.*

61.—(1) The Lieutenant Governor in Council may make ^{Regulations} regulations,

- (a) designating and classifying psychiatric facilities, and exempting any psychiatric facility or class thereof from the application of any provision of the regulations made under clause *b*;
- (b) in respect of psychiatric facilities or any class thereof,
 - (i) providing for the creation, establishment, construction, alteration, renovation and maintenance thereof,
 - (ii) prescribing the accommodation, facilities, equipment and services thereof,
 - (iii) providing for the government, management, conduct, operation, use and control thereof,
 - (iv) providing for the officers and staff and prescribing their qualifications,
 - (v) prescribing the forms, records, books, returns and reports to be made and kept in connection therewith and providing for returns, reports and information to be furnished to the Department;
- (c) prescribing additional duties of officers designated and persons appointed under subsection 1 of section 4;
- (d) prescribing the classes of grants by way of provincial aid to any psychiatric facility or class thereof and the methods of determining the amounts of grants and providing for the manner and times of payment and the suspension and withholding of grants and for the making of deductions from grants.
- (e) exempting any psychiatric facility or class thereof from the application of Part II;
- (f) classifying patients, and limiting the classes of patients that may be admitted to any psychiatric facility or class thereof;

- (g) respecting the examination and detention of persons and the admission, detention, leave of absence, absence without authorization, transfer, discharge and placement of patients;
- (h) prescribing the manner in which applications may be made to a review board;
- (i) governing and regulating hearings and other proceedings of review boards and advisory review boards;
- (j) prescribing the time in which decisions of review boards or recommendations of advisory review boards shall be transmitted;
- (k) providing for the remuneration and expenses of members of review boards and advisory review boards;
- (l) conferring ancillary functions upon review boards and advisory review boards;
- (m) exempting any psychiatric facility or class thereof from the application of Part III;
- (n) prescribing forms and providing for their use;
- (o) respecting any matter necessary or advisable to carry out effectively the intent and purpose of this Act.

Relief from
compliance

- (2) Where, in the opinion of the Minister,
 - (a) it is impracticable for a psychiatric facility to comply with any provision of the regulations made under clause *b* of subsection 1, and
 - (b) it is in the best interests of the population served by such psychiatric facility,

he may, by his authorization in writing, relieve such psychiatric facility from the application of such provision for such period and upon such conditions as he specifies in the authorization.

R.S.O. 1960,
c. 349 not
to apply

- (3) *The Regulations Act* does not apply to an authorization of the Minister made under subsection 2. 1966, c. 87, s. 6, amended.

62. *The Mental Health Act, 1966* is repealed.

1966, c. 87,
repealed

63. This Act comes into force on a day to be named by the Lieutenant Governor by his proclamation.

Commence-
ment

64. This Act may be cited as *The Mental Health Act, 1967*.

Short title

The Mental Health Act, 1967

1st Reading

May 19th, 1967

2nd Reading

June 1st, 1967

3rd Reading

MR. DYMOND

*(Reprinted as amended by the
Committee on Health)*

BILL 127

5TH SESSION, 27TH LEGISLATURE, ONTARIO
15-16 ELIZABETH II, 1967

The Mental Health Act, 1967

MR. DYMOND

BILL 127

1967

The Mental Health Act, 1967

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. In this Act,

Interpre-
tation

- (a) "attending physician" means the physician to whom responsibility for the observation, care and treatment of a patient has been assigned;
- (b) "Department" means the Department of Health;
- (c) "Deputy Minister" means the Deputy Minister of Health;
- (d) "local board of health" has the same meaning as local board in *The Public Health Act*; R.S.O. 1960,
c. 321
- (e) "medical officer of health" has the same meaning as in *The Public Health Act*;
- (f) "mental disorder" means any disease or disability of the mind;
- (g) "Minister" means the Minister of Health;
- (h) "officer-in-charge" means the officer who is responsible for the administration and management of a psychiatric facility;
- (i) "patient" means a person who is under observation, care and treatment in a psychiatric facility;
- (j) "physician" means a duly qualified medical practitioner;
- (k) "psychiatric facility" means a facility for the observation, care and treatment of persons suffering from mental disorder, and designated as such by the regulations;

(l) "psychiatrist" means a physician who holds a specialist's certificate in psychiatry issued by The Royal College of Physicians and Surgeons of Canada or equivalent qualification acceptable to the Minister;

(m) "regulations" means the regulations made under this Act;

(n) "senior physician" means the physician responsible for the clinical services in a psychiatric facility. 1966, c. 87, s. 1, *amended*.

PART I

STANDARDS

Application of Act **2.** This Act applies to every psychiatric facility. 1966, c. 87, s. 2, *amended*.

Conflict **3.** Every psychiatric facility has power to carry on its undertaking as authorized by any Act, but, where the provisions of any Act conflict with the provisions of this Act or the regulations, the provisions of this Act and the regulations prevail. *New*.

Advisory officers **4.—(1)** The Minister may designate officers of the Department or appoint persons who shall advise and assist medical officers of health, local boards of health, hospitals and other bodies and persons in all matters pertaining to mental health and who shall have such other duties as are assigned to them by this Act or the regulations.

Powers **(2)** Any such officer or person may at any time, and shall be permitted so to do by the authorities thereat, visit and inspect any psychiatric facility, and in so doing may interview patients, examine books, records and other documents relating to patients, examine the condition of the psychiatric facility and its equipment, and inquire into the adequacy of its staff, the range of services provided and any other matter he deems relevant to the maintenance of standards of patient care. 1966, c. 87, s. 4, *amended*.

Provincial aid **5.** The Minister may pay psychiatric facilities provincial aid in such manner, in such amounts and under such conditions as are prescribed by the regulations. *New*.

PART II

HOSPITALIZATION

Where admission may be refused **6.** Notwithstanding this or any other Act, admission to a psychiatric facility may be refused where the immediate needs in the case of the proposed patient are such that hospitalization is not urgent or necessary. *New*.

7. Any person who is believed to be in need of the observation, care and treatment provided in a psychiatric facility may be admitted thereto as an informal patient upon the recommendation of a physician. *New.* Admission of informal patients

8.—(1) Any person who,

Admission of involuntary patients

(a) suffers from mental disorder of a nature or degree so as to require hospitalization in the interests of his own safety or the safety of others; and

(b) is not suitable for admission as an informal patient,

may be admitted as an involuntary patient to a psychiatric facility upon application therefor in the prescribed form signed by a physician.

(2) It shall be stated and shown clearly that the physician signing the application personally examined the person who is the subject of the application and made due inquiry into all of the facts necessary for him to form a satisfactory opinion. Contents of application

(3) The physician signing the application shall also in the application state the facts upon which he has formed his opinion of the mental disorder, distinguishing the facts observed by him from the facts communicated to him by others, and shall note the date upon which the examination was made. Idem

(4) Every such application shall be completed no later than seven days after the examination referred to therein, and no person shall be admitted to a psychiatric facility upon an application except within fourteen days of the date on which the application was completed. Time limits

(5) Such an application is sufficient authority,

Authority of application

(a) to any person to convey the person who is the subject of the application to a psychiatric facility; and

(b) to the authorities thereof to admit and detain him therein for a period of not more than one month. *New.*

9.—(1) Where information upon oath is brought before a justice of the peace that a person, within the limits of his jurisdiction,

Justice of the peace's order for examination

(a) is believed to be suffering from mental disorder; and

(b) should be examined in the interest of his own safety or the safety of others,

the justice may, if he is satisfied that,

(c) such examination is necessary; and

(d) such examination can be arranged in no other way,

issue his order for examination in the prescribed form.

Contents
of order

(2) In every order under this section it shall be stated and shown clearly that the justice issuing the order made due inquiry into all of the facts necessary for him to form a satisfactory opinion.

Idem

(3) An order under this section may be directed to all or any constables or other peace officers of the locality within which the justice has jurisdiction and shall name or otherwise describe the person with respect to whom the order has been made.

Authority
of order

(4) An order under this section shall direct, and is sufficient authority for, any constable or other peace officers to whom it is addressed to take the person named or described therein to an appropriate place where he may be detained for medical examination. *New.*

Action by
peace officer

10. Where a constable or other peace officer observes a person,

(a) apparently suffering from mental disorder; and

(b) acting in a manner that in a normal person would be disorderly,

the officer may, if he is satisfied that,

(c) the person should be examined in the interests of his own safety or the safety of others; and

(d) the circumstances are such that to proceed under section 9 would be dangerous,

take the person to an appropriate place where he may be detained for medical examination, *New.*

11. An examination referred to in section 9 or 10 shall be conducted forthwith and, wherever practicable, the place of examination shall be a psychiatric or other health facility.
New.

12. An informal patient may, upon completion of the prescribed form, be continued as an involuntary patient, and in any such case section 8 applies *mutatis mutandis*. *New.*

13.—(1) The period of detention of an involuntary patient may be extended upon the completion of a certificate of renewal in the prescribed form by the attending physician after personal examination.

(2) The attending physician shall not complete a certificate of renewal unless the patient,

(a) suffers from mental disorder of a nature or degree so as to require further hospitalization in the interests of his own safety or the safety of others; and

(b) is not suitable to be continued as an informal patient.

(3) A certificate of renewal is authority to detain the patient as follows:

1. First certificate—not more than two additional months.
2. Second certificate—not more than three additional months.
3. Third certificate—not more than six additional months.
4. Fourth certificate—not more than twelve additional months.
5. Each subsequent certificate—not more than twelve additional months.

(4) An involuntary patient whose authorized period of detention has expired shall be deemed to be an informal patient.

(5) An involuntary patient whose authorized period of detention has not expired may be continued as an informal patient upon completion of the prescribed form by the attending physician. *New.*

14.—(1) Where a judge or magistrate has reason to believe that a person who appears before him charged with or convicted of an offence suffers from mental disorder, the judge or magistrate may order the person to attend a psychiatric facility for examination.

Senior
physician's
report

(2) Where an examination is made under this section, the senior physician shall report in writing to the judge or magistrate as to the mental condition of the person.

Judge's
order for
treatment

(3) If the senior physician reports that the person examined needs treatment, the judge or magistrate may order the person to attend a psychiatric facility for treatment. *New.*

Judge's
order for
admission

15.—(1) Where a judge or magistrate has reason to believe that a person in custody who appears before him charged with an offence suffers from mental disorder, the judge or magistrate may, by order, remand that person for admission as a patient to a psychiatric facility for a period of not more than two months.

Senior
physician's
report

(2) Before the expiration of the time mentioned in such order, the senior physician shall report in writing to the judge or magistrate as to the mental condition of the person. *New.*

Condition
precedent
to judge's
order

16. A judge or magistrate shall not make an order under section 14 or 15 until he ascertains from the senior physician of a psychiatric facility that the services of the psychiatric facility are available to the person to be named in the order. *New.*

Contents of
senior
physician's
report

17. Notwithstanding this or any other Act or any regulation made under any other Act, the senior physician may report all or any part of the information compiled by the psychiatric facility to any person where, in the opinion of the senior physician, it is in the best interests of the person who is the subject of an order made under section 14 or 15. *New.*

Persons
detained
under
1953-54, c. 51
(Can.)

18. Any person who, pursuant to the *Criminal Code* (Canada), is

(a) remanded to custody for observation; or

(b) detained under the authority of a warrant of the Lieutenant Governor,

may be admitted to, detained in, and discharged from a psychiatric facility in accordance with law. *New.*

Communi-
cations to
and from
patients

19.—(1) Except as provided in this section, no communication written by a patient or sent to a patient shall be opened, examined, withheld, or its delivery in any way obstructed or delayed.

Where
communica-
tion may be
withheld

(2) Where the officer-in-charge or a person acting under his authority has reasonable and probable cause to believe,

(a) that the contents of a communication written by a patient would,

(i) be unreasonably offensive to the addressee, or

(ii) prejudice the best interests of the patient; or

(b) that the contents of a communication sent to a patient would,

(i) interfere with the treatment of the patient, or

(ii) cause the patient unnecessary distress,

the officer-in-charge or a person acting under his authority may open and examine the contents thereof and, if any condition mentioned in clause *a* or *b*, as the case may be, exists, may withhold such communication from delivery.

(3) Subsection 2 does not apply to a communication written ^{Exceptions} by a patient to, or appearing to be sent to a patient by,

(a) a barrister and solicitor;

(b) a member of a review board or advisory review board under this Act; or

(c) a member of the Assembly. *New.*

20.—(1) The officer-in-charge may, upon the advice of the ^{Leave of absence} attending physician, place a patient on leave of absence from the psychiatric facility for a designated period of not more than three months, if the intention is that the patient shall return thereto.

(2) Leave of absence may be permitted upon such terms ^{Terms and conditions} and conditions as the officer-in-charge may prescribe.

(3) Subsection 1 does not authorize the placing of a patient ^{Exception} on leave of absence where he is subject to detention otherwise than under this Act. *New.*

21.—(1) A patient who is subject to detention and who, ^{Unauthorized absence} without authorization, is absent from a psychiatric facility may be returned thereto by a constable or other peace officer or by any person appointed by the officer-in-charge,

(a) within twenty-four hours after his absence becomes known to the officer-in-charge; or

- (b) under the authority of an order in the prescribed form issued by the officer-in-charge, within one month after his absence becomes known to the officer-in-charge.

Detention
during
return

- (2) A patient who is being returned under subsection 1 may be detained in an appropriate place in the course of his return.

Period of
detention
upon
return

- (3) For the purposes of this Act, a patient who is returned under subsection 1 may be detained for the remainder of the period of detention to which he was subject when his absence became known to the officer-in-charge.

Where not
returned

- (4) Where a patient is not returned within one month after his absence became known to the officer-in-charge, he shall, unless subject to detention otherwise than under this Act, be deemed to be discharged from the psychiatric facility.

Prohibitions

- (5) No person shall do or omit to do any act for the purpose of aiding, assisting, abetting or counselling a patient in a psychiatric facility to be absent without authorization. *New.*

Transfer
of patients
from one
facility to
another

- 22.**—(1) Upon the advice of the attending physician, the officer-in-charge of a psychiatric facility may, if otherwise permitted by law and subject to arrangements being made with the officer-in-charge of another psychiatric facility, transfer a patient to such other psychiatric facility upon completing a memorandum of transfer in the prescribed form.

Authority
to detain

- (2) Where a patient is transferred under subsection 1, the authority to detain him continues in force in the psychiatric facility to which he is so transferred. *New.*

Treatment
in public
hospital

- 23.**—(1) Upon the advice of the attending physician that a patient requires hospital treatment that cannot be supplied in the psychiatric facility, the officer-in-charge may, if otherwise permitted by law, transfer the patient to a public hospital for such treatment and return him to the psychiatric facility upon the conclusion thereof.

Powers of
superin-
tendent

- (2) Where a patient is transferred under subsection 1, the superintendent of the public hospital has, in addition to the powers conferred upon him by the Act under which the hospital operates, the powers under this Act of an officer-in-charge of a psychiatric facility in respect of the custody and control of the patient. *New.*

24. Where it appears to the Minister,Transfer
of patients to
institutions
outside
Ontario

- (a) that a patient in a psychiatric facility has come or been brought into Ontario from elsewhere and his hospitalization is the responsibility of another jurisdiction; or
- (b) that it would be in the best interests of a patient in a psychiatric facility to be hospitalized in another jurisdiction,

the Minister may, upon compliance in Ontario *mutatis mutandis* with the laws respecting hospitalization in such other jurisdiction, by warrant in the prescribed form authorize his transfer thereto. *New.*

25.—(1) Where the Minister has reason to believe that a person suffering from a mental disorder may come or be brought into Ontario from elsewhere, the Minister may issue a warrant in the prescribed form which is sufficient authority to any person to convey the person named therein to a psychiatric facility and to the authorities thereof to admit and detain him.

Mentally
disordered
persons
coming into
Ontario

(2) A person admitted to a psychiatric facility under subsection 1 shall be deemed to have been admitted as an involuntary patient under section 8. *New.*

Idem

26.—(1) A patient shall be discharged from a psychiatric facility when he is no longer in need of the observation, care and treatment provided therein.

Discharge
of patients

(2) Subsection 1 does not authorize the discharge into the community of a patient who is subject to detention otherwise than under this Act. *New.*

Exception

27.—(1) The Lieutenant Governor in Council may appoint a review board for any one or more psychiatric facilities.

Review
boards

(2) A review board shall be composed of three or five members, at least one and not more than two of whom are psychiatrists and at least one and not more than two of whom are barristers and solicitors and at least one of whom is not a psychiatrist or a barrister and solicitor.

Composition

(3) The Lieutenant Governor in Council may designate one of the members of a review board as chairman.

Chairman

(4) The Lieutenant Governor in Council may appoint alternate members to a review board, and, where for any reason a member cannot act, the alternate member appropriate to comply with subsection 2 shall act in his stead.

Alternate
members

Disqualifi-
cation

(5) An officer or servant of, or a person with a direct financial interest in, a psychiatric facility shall not act as a member of a review board when the case of a patient of that facility is being reviewed.

Term of
of office

(6) A member shall hold office for the period, not to exceed three years, specified in his appointment, but is eligible for re-appointment at the expiration of his term of office.

Quorum

(7) A psychiatrist and a barrister and solicitor and another member who is not a psychiatrist or a barrister and solicitor constitute a quorum, and the decision of a majority is the decision of the review board. *New.*

Application
for review by
patient, etc.

28.—(1) An involuntary patient, or any person on his behalf, may apply in the prescribed form to the chairman of the review board having jurisdiction to inquire into whether the patient suffers from mental disorder of a nature or degree so as to require hospitalization in the interests of his own safety or the safety of others.

When
application
may be made

(2) An application under subsection 1 may be made,

- (a) when any certificate of renewal respecting the patient comes into force; or
- (b) when the patient, after having been admitted to a psychiatric facility, is subsequently continued as an involuntary patient.

Application
for review
by Minister,
etc.

(3) An application under subsection 1 may be made at any time by the Minister, the Deputy Minister or the officer-in-charge in respect of any involuntary patient. *New.*

Inquiry
and
hearing

29.—(1) Upon receipt of an application by the chairman, the review board shall conduct such inquiry as it considers necessary to reach a decision and may hold a hearing, which in the discretion of the review board may be *in camera*, for the purpose of receiving oral testimony.

Attendance
of patient
at hearing

(2) Where a hearing is held, the patient may attend the hearing unless otherwise directed by the chairman and, where he does not attend, he may have a person appear as his representative.

Rights of
patient at
hearing

(3) Where a hearing is held, the patient or his representative may call witnesses and make submissions and, with the permission of the chairman, may cross-examine witnesses.

(4) The officer-in-charge shall, for the purpose of an inquiry, furnish the chairman with such information and reports as the chairman requests. Information, reports, etc.

(5) The review board or any member thereof may interview a patient or other person in private. *New.* Interview may be private

30.—(1) Upon the conclusion of an inquiry, the chairman shall prepare a written report of the decision of the review board and within the time prescribed by the regulations transmit a copy thereof to the applicant and to the officer-in-charge where he is not the applicant. Report

(2) Upon receipt of a copy of the decision, the officer-in-charge shall take any action required to give effect thereto. *New.* Implementation of report

31.—(1) The Lieutenant Governor in Council may appoint an advisory review board for any one or more psychiatric facilities that has a review board. Advisory review boards

(2) An advisory review board shall be composed of a judge or a retired judge of the Supreme Court who shall serve as chairman, a psychiatrist and any three members who constitute a quorum of the review board. Composition

(3) Subsections 4, 5 and 6 of section 27 apply *mutatis mutandis* to the members of an advisory review board. Alternate members, etc.

(4) The five members of an advisory review board constitute a quorum and the recommendation of a four-fifths majority is the recommendation of the advisory review board. *New.* Quorum

(5) The case of every patient in a psychiatric facility who is detained under the authority of a warrant of the Lieutenant Governor under the *Criminal Code* (Canada) shall be considered by the advisory review board having jurisdiction once in every year, commencing with the year next after the year in which the warrant was issued. Functions 1953-54, c. 51 (Can.)

(6) Notwithstanding subsection 5, the advisory review board shall consider the case of any patient to which that subsection applies at any time upon the written request of the Minister. Idem

(7) Section 29 applies *mutatis mutandis* to cases under this section. Application of sec. 29

(8) Upon the conclusion of an inquiry, the chairman shall prepare a written report of the recommendations of the advisory review board and, within the time prescribed by the Report

regulations, shall transmit a copy thereof to the Lieutenant Governor in Council, and may in his discretion transmit a copy thereof to any other person. *New.*

PART III

ESTATES

Examination as to competency, upon admission **32.—**(1) Forthwith upon the admission of a patient to a psychiatric facility, he shall be examined by a physician to determine whether he is competent to manage his estate.

Idem, at any time (2) The attending physician may examine a patient at any time to determine whether he is competent to manage his estate.

Certificate of in-competence (3) If, after an examination under subsection 1 or 2, the examining physician is of the opinion that the patient is not competent to manage his estate, he shall issue a certificate of incompetence in the prescribed form and the officer-in-charge shall forward the certificate to the Public Trustee.

Idem, exceptional circumstances (4) Where circumstances are such that the Public Trustee should immediately assume management of an estate, the officer-in-charge shall notify the Public Trustee in the fastest manner possible that a certificate of incompetence has been issued.

Appointment by patient (5) Notwithstanding that no certificate of incompetence has been issued in his case, a patient may, at any time, in writing signed and sealed by him, appoint the Public Trustee as committee of his estate while he is a patient in a psychiatric facility, and any such appointment may be revoked by the patient at any time in writing signed and sealed by him.

Where Public Trustee is committee at time of admission of patient (6) Where the Public Trustee is committee of a patient at the time of his admission to a psychiatric facility, a certificate of incompetence shall be deemed to have been issued and forwarded to the Public Trustee under subsection 3.

Where sec. 32 does not apply R.S.O. 1960, c. 237 (7) This section does not apply to a patient whose estate is under committeehip under *The Mental Incompetency Act*. *New.*

Where Public Trustee may replace committee appointed under R.S.O. 1960, c. 237 **33.—**(1) Notwithstanding that under *The Mental Incompetency Act* a person other than the Public Trustee has been appointed as the committee of the estate of a patient, the Supreme Court may at any time upon the application of the Public Trustee appoint him as committee in the stead of the

person appointed under that Act, and on appointment the Public Trustee has and may exercise all the rights and powers conferred upon him by this Act with regard to the management of estates.

(2) If at any time a committee of the estate of a patient is appointed under *The Mental Incompetency Act*, the Public Trustee thereupon ceases to be committee and shall account for and transfer to the committee so appointed the estate of the patient that has come into his hands.

Duty of
Public
Trustee
where
committee
appointed
under R.S.O.
1960, c. 237

(3) An order shall not be made under *The Mental Incompetency Act* for the appointment of a committee of a patient without the consent of the Public Trustee unless seven days notice of the application has been given to him.

Consent of
Public
Trustee
to order

(4) The acts of the Public Trustee while committee of a patient are not rendered invalid by the making of an order appointing another committee. *New.*

Acts of
Public
Trustee not
affected

34. The Public Trustee is committee of the estate of a patient and shall assume management thereof,

Where
Public
Trustee
committee

(a) upon receipt of a certificate of incompetence;

(b) upon receipt of notice under subsection 4 of section 32; or

(c) upon receipt of an appointment under subsection 5 of section 32. *New.*

35. Upon the Public Trustee becoming committee of the estate of a patient, the officer-in-charge shall forthwith forward a financial statement in the prescribed form to the Public Trustee. *New.*

Financial
statement

36. The attending physician may, after examining a patient for that purpose, cancel the patient's certificate of incompetence, and in such case the officer-in-charge shall forward a notice of cancellation in the prescribed form to the Public Trustee. *New.*

Cancellation
of certificate
of in-
competence

37.—(1) A patient who is about to be discharged from a psychiatric facility and whose estate is being managed by the Public Trustee shall be examined by his attending physician to determine whether or not he will, upon discharge, be competent to manage his estate.

Examination
as to
competency
before
discharge

(2) Where the attending physician is of the opinion, after the examination referred to in subsection 1, that the patient will not, upon discharge, be competent to manage his estate,

Notice of
continuance

he shall issue a notice of continuance in the prescribed form and the officer-in-charge shall forward the notice to the Public Trustee. *New.*

Where
Public
Trustee
ceases to be
committee

38. The Public Trustee ceases to be committee of the estate of a patient and shall relinquish management thereof,

- (a) upon receipt of notice of cancellation of the certificate of incompetence of the patient;
 - (b) upon receipt of a revocation in writing, signed and sealed by the patient, of an appointment referred to in subsection 5 of section 32;
 - (c) upon receipt of notice of discharge of the patient, unless he has at that time received a notice of continuance; or
 - (d) upon the expiration of three months after the patient's discharge, where a notice of continuance was received.
- New.*

Application
to review
board as to
competency

39.—(1) Where a certificate of incompetence or a notice of continuance has been issued, the patient may apply in the prescribed form to the chairman of the review board having jurisdiction to inquire into whether the patient is not competent to manage his estate.

Application
of secs. 28-30

(2) Except that applications may be made not more frequently than once in any twelve-month period, sections 28, 29 and 30 apply *mutatis mutandis* to applications under subsection 1. *New.*

Leave of
judge to
bring action

40. No person, other than the Public Trustee, shall bring an action as next friend of a person of whose estate the Public Trustee is committee under this Act or by an order made under this Act without the leave of a judge of the court in which the action is intended to be brought, and the Public Trustee shall be served with notice of the application for such leave. *New.*

Service of
documents

41. When an action or proceeding is brought or taken against a patient in a psychiatric facility for whom a committee has not been appointed by the court and such action or proceeding is in connection with the estate of such person, the writ or other document by which the proceedings are commenced and any other document requiring personal service shall be served upon the Public Trustee endorsed with a written statement of the name of the psychiatric facility in which the patient is located, and shall also be served upon

the patient, unless in the opinion of the attending physician personal service upon the patient would cause serious harm to him by reason of his mental condition, in which case it shall also be served upon the officer-in-charge. *New.*

42. The Public Trustee as committee of a patient has and may exercise all the rights and powers with regard to the estate of the patient that the patient would have if of full age and of sound and disposing mind. *New.*

Rights and powers of Public Trustee as committee

43. A person of whose estate the Public Trustee is committee under this Act or by an order made under this Act and his heirs, executors, administrators, next of kin, legatees, devisees and assigns shall have the same interest in any money or other property, real or personal, arising from a sale, mortgage, exchange or other disposition by the Public Trustee acting as such committee as they would have had in the property the subject of the sale, mortgage, exchange or other disposition if no sale, mortgage, exchange or other disposition had been made, and the surplus money or property shall be of the same nature as the property sold, mortgaged, exchanged or disposed of. *New.*

Nature of proceeds of sale, etc.

44. Upon the Public Trustee becoming committee of the estate of a person under this Act or by an order made under this Act, every power of attorney of such person is void. *New.*

When powers of attorney void

45. Any recital in a lease, mortgage or conveyance that a person is a patient in a psychiatric facility and that the Public Trustee is his committee is admissible in evidence as *prima facie* proof of the facts recited. *New.*

Recitals in documents

46. The powers conferred upon the Public Trustee as committee of the estate of a patient may be exercised,

Purposes for which powers of Public Trustee may be exercised

- (a) until the committee ship is terminated notwithstanding that the patient has been discharged from the psychiatric facility;
- (b) to carry out and complete any transaction entered into by the patient before he became a patient in a psychiatric facility;
- (c) to carry out and complete any transaction entered into by the committee notwithstanding that the committee ship has been terminated or that the patient has died after the transaction was commenced. *New.*

Lien of
Public
Trustee for
costs, etc.

47.—(1) The costs, charges and expenses of the Public Trustee, including the costs, charges and expenses of or arising from or out of the passing of his accounts, whether before or after the termination of the committee ship or the death of the person of whose estate he is committee under this Act or by an order made under this Act, and any moneys advanced or liability incurred by him for or on behalf of such person or for the maintenance of such person's family are a lien upon the real and personal property of such person.

Notice of
lien in
case of real
property

(2) In the case of real property, the Public Trustee may register in the proper registry or land titles office a certificate under his hand and seal of office giving notice of the lien claimed and the real property against which it is claimed.

Withholding
of moneys
to secure
costs

(3) Where the Public Trustee is proceeding to have his accounts passed after the termination of the committee ship or the death of a person referred to in subsection 1, the Public Trustee may withhold sufficient moneys from the person's estate to adequately secure the costs of or arising from or out of the passing of such accounts. *New.*

When gifts,
etc., deemed
fraudulent

48. Every gift, grant, alienation, conveyance or transfer of property made by a person who is or becomes a patient shall be deemed to be fraudulent and void as against the Public Trustee if the same was not made for full and valuable consideration actually paid or sufficiently secured to such person or if the purchaser or transferee had notice of his mental condition. *New.*

Death of
patient

49. Upon the death of a patient and until letters probate of the will or letters of administration to the estate of the patient are granted to a person other than the Public Trustee and notice thereof is given to the Public Trustee, the Public Trustee may continue to manage the estate and exercise with respect thereto the powers that an executor would have if the property were devised or bequeathed to him in trust for payment of debts and distribution of the residue. *New.*

Passing of
accounts

50. The Public Trustee is liable to render an account as to the manner in which he has managed the property of the patient in the same way and subject to the same responsibility as any trustee, guardian or committee duly appointed for a similar purpose may be called upon to account, and is entitled from time to time to bring in and pass his accounts and tax costs in like manner as a trustee but is personally liable only for wilful misconduct. *New.*

Compensa-
tion of
Public
Trustee

51. For the services rendered by the Public Trustee as committee of a patient, he may be allowed compensation not

exceeding the amount that a trustee would be allowed for like services, but in cases of poverty or hardship the Public Trustee may forego any claim for compensation. *New.*

52.—(1) Where a person with respect to whom a notice of continuance has been received by the Public Trustee may not, based upon a report of the attending physician or other evidence available to the Public Trustee, be competent to manage his estate upon the termination of the trusteeship or a person discharged has refused or neglected to take his property or any part thereof from the Public Trustee, the Public Trustee may apply to the Supreme Court for directions as to the disposal of such property, and the court may make such order as it deems just, and may in its discretion order that the Public Trustee continue to manage the estate of such person with all the rights and powers that the Public Trustee would have had under this Act if the trusteeship had not been terminated. *Application for directions*

(2) Where the Public Trustee continues to manage an estate under subsection 1, the Supreme Court may, upon application, make such further order as it deems just and may, in its discretion, order that the management of the estate by the Public Trustee be relinquished. *Further orders* *New.*

53. The Public Trustee shall, out of the money in his hands belonging to a patient for whom he is committee, pay the proper charges for his maintenance in the psychiatric facility in which he is a patient, and he may also pay such sums as he deems advisable to the patient's family or other persons dependent upon him, and the payments for the maintenance of the family and other dependants may be made notwithstanding that such payments may prevent the payment of maintenance that otherwise would be due from the patient. *Payments out of patient's moneys* *New.*

54. If there is any money in court to the credit of a patient, it shall be paid out to the Public Trustee upon his written application, and it is not necessary to obtain an order of the court or a judge for such purpose. *Payments out of moneys in court* *New.*

55. Nothing in this Act makes it the duty of the Public Trustee to institute proceedings on behalf of a patient or to intervene in respect of his estate or any part thereof or to take charge of any of his property. *What Public Trustee not required to do* *New.*

56.—(1) Where a person who is suffering from a mental disorder is a patient in a psychiatric facility in another province or territory of Canada and has estate situate in Ontario, the Lieutenant Governor in Council may appoint *Patients in another province with estate in Ontario*

the official of the other province or territory who is charged with the duty of managing the estate of such person in the other province or territory to be committee of the estate in Ontario.

Order
conclusive

(2) The order making the appointment is conclusive proof that all the conditions precedent to the appointment have been fulfilled.

Rights and
powers of
appointee

(3) The appointee under such an order possesses the same rights, powers, privileges and immunities as are conferred by this Act upon the Public Trustee and he is subject to the same obligations and shall perform the same duties. *New.*

PART IV

VETERANS, ETC.

Agreement
with
Government
of Canada
authorized

57. The Lieutenant Governor in Council may authorize an agreement between Her Majesty the Queen in right of Ontario represented by the Minister and Her Majesty the Queen in right of Canada represented by the minister of any department of the Government of Canada as is from time to time charged with the observation, care and treatment of persons who are suffering from a mental disorder whereunder that department may establish, operate, maintain, control and direct in Ontario, psychiatric facilities within the meaning of this Act for the observation, care and treatment of such persons, and where such an agreement is made, it may provide that the provisions of Parts II and III of this Act and the relevant regulations, or any of them, apply *mutatis mutandis*. *New.*

PART V

MISCELLANEOUS

Limitation
of actions,
etc.

58. All actions, prosecutions or other proceedings against any person or psychiatric facility for anything done or omitted to be done in pursuance or intended pursuance of this Act or the regulations shall be commenced within six months after the act or omission complained of occurred and not afterwards. *New.*

Certain
actions
barred

59. No action lies against any psychiatric facility or any officer, employee or servant thereof for a tort of any patient. *New.*

60. Every person who contravenes or is a party to the ^{Offence} contravention, directly or indirectly, of any provision of this Act or the regulations is guilty of an offence and on summary conviction is liable to a fine of not less than \$25 and not more than \$500. *New.*

61.—(1) The Lieutenant Governor in Council may make ^{Regulations} regulations,

- (a) designating and classifying psychiatric facilities, and exempting any psychiatric facility or class thereof from the application of any provision of the regulations made under clause *b*;
- (b) in respect of psychiatric facilities or any class thereof,
 - (i) providing for the creation, establishment, construction, alteration, renovation and maintenance thereof,
 - (ii) prescribing the accommodation, facilities, equipment and services thereof,
 - (iii) providing for the government, management, conduct, operation, use and control thereof,
 - (iv) providing for the officers and staff and prescribing their qualifications,
 - (v) prescribing the forms, records, books, returns and reports to be made and kept in connection therewith and providing for returns, reports and information to be furnished to the Department;
- (c) prescribing additional duties of officers designated and persons appointed under subsection 1 of section 4;
- (d) prescribing the classes of grants by way of provincial aid to any psychiatric facility or class thereof and the methods of determining the amounts of grants and providing for the manner and times of payment and the suspension and withholding of grants and for the making of deductions from grants.
- (e) exempting any psychiatric facility or class thereof from the application of Part II;
- (f) classifying patients, and limiting the classes of patients that may be admitted to any psychiatric facility or class thereof;

- (g) respecting the examination and detention of persons and the admission, detention, leave of absence, absence without authorization, transfer, discharge and placement of patients;
- (h) prescribing the manner in which applications may be made to a review board;
- (i) governing and regulating hearings and other proceedings of review boards and advisory review boards;
- (j) prescribing the time in which decisions of review boards or recommendations of advisory review boards shall be transmitted;
- (k) providing for the remuneration and expenses of members of review boards and advisory review boards;
- (l) conferring ancillary functions upon review boards and advisory review boards;
- (m) exempting any psychiatric facility or class thereof from the application of Part III;
- (n) prescribing forms and providing for their use;
- (o) respecting any matter necessary or advisable to carry out effectively the intent and purpose of this Act.

Relief from
compliance

(2) Where, in the opinion of the Minister,

- (a) it is impracticable for a psychiatric facility to comply with any provision of the regulations made under clause *b* of subsection 1, and
- (b) it is in the best interests of the population served by such psychiatric facility,

he may, by his authorization in writing, relieve such psychiatric facility from the application of such provision for such period and upon such conditions as he specifies in the authorization.

R.S.O. 1960,
c. 349 not
to apply

(3) *The Regulations Act* does not apply to an authorization of the Minister made under subsection 2. 1966, c. 87, s. 6, amended.

62. *The Mental Health Act, 1966* is repealed.

1966, c. 87,
repealed

63. This Act comes into force on a day to be named by the Lieutenant Governor by his proclamation.

Commence-
ment

64. This Act may be cited as *The Mental Health Act, 1967*.

Short title

The Mental Health Act, 1967

1st Reading

May 19th, 1967

2nd Reading

June 1st, 1967

3rd Reading

June 12th, 1967

MR. DYMOND

BILL 128

5TH SESSION, 27TH LEGISLATURE, ONTARIO
15-16 ELIZABETH II, 1967

An Act to repeal An Act to confer certain powers upon the Bell Telephone Company of Canada

MR. GOMME

Enacted in the 10th year of the reign of His Majesty King George VI
the 10th day of August 1946

EXPLANATORY NOTE

This Act repeals an Act which purported to grant to the Bell Telephone Company of Canada authority to exercise its powers in Ontario and to acquire real estate and to construct and maintain plant and equipment on public highways. The repealed Act was found to be *ultra vires* by the courts.

BILL 128

1967

An Act to repeal An Act to confer certain powers upon the Bell Telephone Company of Canada

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. *An Act to confer certain powers upon the Bell Telephone Company of Canada*, being chapter 71 of the Statutes of Ontario, 1882, is repealed. ^{1882, c. 71, repealed}

2. This Act comes into force on the day it receives Royal Assent. ^{Commence-ment}

3. This Act may be cited as *The Bell Telephone Company Act, 1967*. ^{Short title}

An Act to repeal An Act to confer certain
powers upon the Bell Telephone Company
of Canada

1st Reading

May 23rd, 1967

2nd Reading

3rd Reading

MR. GOMME

BILL 128

**5TH SESSION, 27TH LEGISLATURE, ONTARIO
15-16 ELIZABETH II, 1967**

An Act to repeal An Act to confer certain powers upon the Bell Telephone Company of Canada

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BILL 128

1967

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1. *An Act to confer certain powers upon the Bell Telephone Company of Canada*, being chapter 71 of the Statutes of Ontario, 1882, is repealed.^{1882, c. 71, repealed}

2. This Act comes into force on the day it receives Royal Assent.^{Commencement}

3. This Act may be cited as *The Bell Telephone Company Act, 1967*.^{Short title}

An Act to repeal An Act to confer certain powers upon the Bell Telephone Company of Canada

1st Reading

May 23rd, 1967

2nd Reading

May 26th, 1967

3rd Reading

June 12th, 1967

MR. GOMME

BILL 129

5TH SESSION, 27TH LEGISLATURE, ONTARIO
15-16 ELIZABETH II, 1967

An Act to amend The Penal and Reform Institutions Inspection Act

MR. GROSSMAN

THE MENTAL HEALTH ACT, 1967

THE MENTAL HEALTH ACT, 1967

EXPLANATORY NOTE

Authority is provided under which inmates of penal and reform institutions may be hospitalized in psychiatric facilities under *The Mental Health Act, 1967*.

BILL 129

1967

An Act to amend The Penal and Reform Institutions Inspection Act

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Subsection 2 of section 9 of *The Penal and Reform Institutions Inspection Act* is repealed and the following substituted therefor: R.S.O. 1960,
c. 291, s. 9,
subs. 2,
re-enacted

- (2) Where the official in charge of a penal and reform institution reports to an officer designated under subsection 1 that a prisoner, inmate or other person confined or detained in any such institution requires hospitalization in a psychiatric facility under *The Mental Health Act, 1967*, such officer, if otherwise permitted by law, has authority to allow the prisoner, inmate or other person to be so hospitalized, and, where the prisoner, inmate or other person is so hospitalized, he shall be deemed while his sentence is in force to be confined in a penal and reform institution. Hospitaliza-
tion in
psychiatric
facility

1967, c. ...

2. This Act comes into force on the day that *The Mental Health Act, 1967* comes into force. Commence-
ment

3. This Act may be cited as *The Penal and Reform Institutions Inspection Amendment Act, 1967*. Short title

An Act to amend The Penal
and Reform Institutions Inspection Act

1st Reading

May 23rd, 1967

2nd Reading

3rd Reading

MR. GROSSMAN

BILL 129

5TH SESSION, 27TH LEGISLATURE, ONTARIO
15-16 ELIZABETH II, 1967

An Act to amend The Penal and Reform Institutions Inspection Act

MR. GROSSMAN

RECEIVED - JUNE 1, 1958
 (WFO - SA 100-100000-20000)

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BILL 129

1967

An Act to amend The Penal and Reform Institutions Inspection Act

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Subsection 2 of section 9 of *The Penal and Reform Institutions Inspection Act* is repealed and the following substituted therefor: R.S.O. 1960,
c. 291, s. 9,
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(2) Where the official in charge of a penal and reform institution reports to an officer designated under subsection 1 that a prisoner, inmate or other person confined or detained in any such institution requires hospitalization in a psychiatric facility under *The Mental Health Act, 1967*, such officer, if otherwise permitted by law, has authority to allow the prisoner, inmate or other person to be so hospitalized, and, where the prisoner, inmate or other person is so hospitalized, he shall be deemed while his sentence is in force to be confined in a penal and reform institution. Hospitaliza-
tion in
psychiatric
facility

1967, c. ...

2. This Act comes into force on the day that *The Mental Health Act, 1967* is proclaimed in force. Commence-
ment

3. This Act may be cited as *The Penal and Reform Institutions Inspection Amendment Act, 1967*. Short title

An Act to amend The Penal
and Reform Institutions Inspection Act

1st Reading

May 23rd, 1967

2nd Reading

May 26th, 1967

3rd Reading

June 5th, 1967

MR. GROSSMAN

BILL 130

5TH SESSION, 27TH LEGISLATURE, ONTARIO
15-16 ELIZABETH II, 1967

An Act to provide Compensation for Injuries received by Persons assisting Peace Officers

MR. WISHART

EXPLANATORY NOTE

This Bill provides for compensation for injuries to persons assisting police and for compensation to dependants where death results.

A board is established to adjudicate claims and the compensation is, in general, determined on the same basis as damages in a civil action. The board is subrogated to the victims' rights and may proceed to prosecute civil actions where feasible.

BILL 130

1967

An Act to provide Compensation for Injuries received by Persons assisting Peace Officers

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. In this Act,

Interpre-
tation

- (a) "Board" means the Law Enforcement Compensation Board;
- (b) "dependant", in respect of a deceased victim, means such of the relatives of the victim as were wholly or partially dependent upon his income at the time of his death and includes a child of the victim born after his death;
- (c) "injury" means actual bodily harm and includes mental or nervous shock, and "injured" has a corresponding meaning;
- (d) "relative", in respect of a victim or offender, means his or her spouse, parent, grandparent, stepfather, stepmother, child, grandchild, brother, sister, half-brother, half-sister or spouse's parent;
- (e) "victim" means a person injured or killed in the circumstances set out in subsection 1 of section 3.

2.—(1) The Law Enforcement Compensation Board is established and shall be composed of not fewer than three and not more than five members who shall be appointed by the Lieutenant Governor in Council, one of whom shall be appointed as chairman.

Law En-
forcement
Compensa-
tion Board
established

(2) Such officers and employees of the Board as are deemed necessary shall be appointed under *The Public Service Act, 1961-62*.

Officers and
employees
1961-62,
c. 121

Quorum (3) Two members of the Board constitute a quorum and are sufficient for the exercise of all the jurisdiction and powers of the Board.

Board a corporation
R.S.O. 1960, c. 71 (4) The Board is a corporation to which *The Corporations Act* does not apply.

Injuries compensable 3.—(1) Where any person is injured or killed by any act or omission of any other person occurring in or resulting directly from assisting a peace officer, as defined in the *Criminal Code* (Canada), in arresting any person or in preserving the peace, the Board may, on application therefor and after a hearing, make an order in its discretion exercised in accordance with this Act for the payment of compensation, and the decision of the Board is final and conclusive for all purposes.

1953-54,
c. 51 (Can.)

Persons compensable (2) An application may be made by and compensation may be paid to,

(a) the victim;

(b) a person who is responsible for the maintenance of the victim and who suffers pecuniary loss or expenses as a result of the injury;

(c) where the death of the victim has resulted, the victim's dependants or any of them.

Compensation

4.—(1) Compensation may be awarded by the Board for,

(a) expenses actually and reasonably incurred as a result of the victim's injury or death;

(b) pecuniary loss to the victim as a result of total or partial incapacity for work;

(c) pecuniary loss to dependants as a result of the victim's death;

(d) pain and suffering;

(e) other pecuniary loss resulting from the victim's injury and any expense that, in the opinion of the Board, it is reasonable to incur.

Exception for relatives of offender

(2) Clause *d* of subsection 1 does not apply in respect of compensation awarded to a relative of the offender or a member of the offender's household.

5. In determining whether to make an order for compensation and the amount thereof, the Board may have regard to all such circumstances as it considers relevant, including any behaviour of the victim that directly or indirectly contributed to his injury or death. Considerations of Board

6. An application for compensation shall be made within one year after the date of the death or injury but the Board may, in its discretion, extend the time for such further period as it deems just. Limitation period for application

7.—(1) An order for compensation may be made whether or not any person is prosecuted for or convicted of the offence giving rise to the injury or death but the Board may, of its own motion or upon the application of the Minister of Justice and Attorney General, adjourn its proceedings pending the outcome of a prosecution or intended prosecution. Compensation not dependent on a conviction

(2) An order for compensation does not affect the right of any person to recover from any other person by civil proceedings lawful damages in respect of the injury or death, but, where the Board has granted an order, the Board is subrogated to all the rights of the person in whose favour the order is granted in respect of the injury or death to the extent of the amount awarded in the order. Board subrogated

(3) Any money recovered by the Board under subsection 2 shall be paid into the Consolidated Revenue Fund. Disposition of money recovered

8. Where the applicant for compensation is a victim, he shall submit to such medical or physical examination as the Board requires. Medical examination

9.—(1) The Board may order compensation to be paid in a lump sum or in periodic payments as the Board thinks fit. Form of compensation

(2) Compensation ordered to be paid shall be paid out of the moneys appropriated therefor by the Legislature. Payment of compensation

10.—(1) The amount ordered by the Board to be paid in respect of any one occurrence shall not exceed, Maximum payments

(a) in the case of lump sum payments, a total of \$10,000;
or

(b) in the case of periodic payments, a total of \$500 per month.

Pro rata
distributed

(2) Where the total amounts of the claims as allowed by the Board in respect of any one occurrence exceed the amount prescribed by subsection 1, the amount prescribed shall be distributed *pro rata* in proportion to the amounts of the claims.

Procedures
on
application

11.—(1) Where an application is made to the Board, the Board shall fix a time and place for the hearing of the application and shall cause notice thereof to be given to the applicant, the offender where possible and to any other person appearing to the Board to have an interest in the application.

Public
hearings

(2) Every hearing of the Board shall be held in public.

Power to
take sworn
evidence
and
summon
witnesses

(3) For the purposes of a hearing under this Act, the Board,

(a) may administer oaths to witnesses and require them to give evidence under oath; and

(b) may require to have issued out of the Supreme Court a writ of subpoena *ad testificandum* or a writ of subpoena *duces tecum*, which the court may issue on praecipe, but no person shall be compelled under any such writ to produce any document that he would not be compellable to produce on the trial of an action.

Right to
counsel

(4) Any person appearing at a hearing of the Board is entitled to be represented by counsel.

Reasons

(5) The Board shall give written reasons for its decisions.

Publication
of evidence

12.—(1) The Board may make an order prohibiting the publication of any report or account of the whole or any part of the evidence at a hearing where the Board deems it necessary, but in making an order under this subsection the Board shall have regard to the desirability of permitting the public to be informed of the principles and nature of each case.

Offence

(2) Any person who publishes a report or account of any evidence at a hearing contrary to an order of the Board under subsection 1 is guilty of an offence and on summary conviction is liable to a fine of not more than \$2,000 or to imprisonment for a term of not more than one year, or to both.

Corporations

(3) Where a corporation is convicted of an offence under subsection 2, the maximum penalty that may be imposed upon the corporation is \$25,000 and not as provided therein.

13. The Board may, at any time, of its own motion or on ^{Variation of orders} the application of the offender or any person in whose favour an order is made, review the order and revoke, confirm or vary the order as the Board deems just in the circumstances.

14. The Lieutenant Governor in Council may make regu- ^{Regulations} lations,

- (a) prescribing rules of procedure in respect of applications to the Board and proceedings of the Board;
- (b) requiring the payment of fees in respect of any matter in the jurisdiction of the Board, including witness fees, and prescribing the amounts thereof;
- (c) prescribing forms for the purposes of this Act and providing for their use;
- (d) respecting any matter necessary or advisable to carry out effectively the intent and purpose of this Act.

15. This Act applies in respect of claims for compensation ^{Application of Act} arising from an injury or death occurring after this Act comes into force.

16. This Act comes into force on a day to be named by the ^{Commence- ment} Lieutenant Governor by his proclamation.

17. This Act may be cited as *The Law Enforcement Com- ^{Short title} pensation Act, 1967.*

An Act to provide Compensation for
Injuries received by Persons assisting
Peace Officers

1st Reading

May 25th, 1967

2nd Reading

3rd Reading

MR. WISHART

BILL 130

5TH SESSION, 27TH LEGISLATURE, ONTARIO
15-16 ELIZABETH II, 1967

An Act to provide Compensation for Injuries received by Persons assisting Peace Officers

MR. WISHART

(Reprinted as amended by the Committee of the Whole House)

EXPLANATORY NOTE

This Bill provides for compensation for injuries to persons assisting police and for compensation to dependants where death results.

A board is established to adjudicate claims and the compensation is, in general, determined on the same basis as damages in a civil action. The board is subrogated to the victims' rights and may proceed to prosecute civil actions where feasible.

BILL 130

1967

An Act to provide Compensation for Injuries received by Persons assisting Peace Officers

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. In this Act, Interpre-
tation

- (a) "Board" means the Law Enforcement Compensation Board;
- (b) "dependant", in respect of a deceased victim, means such of the relatives of the victim as were wholly or partially dependent upon his income at the time of his death and includes a child of the victim born after his death;
- (c) "injury" means actual bodily harm and includes mental or nervous shock, and "injured" has a corresponding meaning;
- (d) "relative", in respect of a victim or offender, means his or her spouse, parent, grandparent, stepfather, stepmother, child, grandchild, brother, sister, half-brother, half-sister or spouse's parent;
- (e) "victim" means a person injured or killed in the circumstances set out in subsection 1 of section 3.

2.—(1) The Law Enforcement Compensation Board is Law En-
forcement
Compensa-
tion Board
established established and shall be composed of not fewer than three and not more than five members who shall be appointed by the Lieutenant Governor in Council, one of whom shall be appointed as chairman.

(2) Such officers and employees of the Board as are deemed Officers and
employees
1961-62,
c. 121 necessary shall be appointed under *The Public Service Act*, 1961-62.

Quorum (3) Two members of the Board constitute a quorum and are sufficient for the exercise of all the jurisdiction and powers of the Board.

Board a corporation (4) The Board is a corporation to which *The Corporations R.S.O. 1960, Act* does not apply.
c. 71

Injuries compensable **3.**—(1) Where any person is injured or killed by any act or omission of any other person occurring in or resulting directly from assisting a peace officer, as defined in the *Criminal Code* (Canada), in arresting any person or in preserving the peace, the Board may, on application therefor and after a hearing, make an order in its discretion exercised in accordance with this Act for the payment of compensation, and the decision of the Board is final and conclusive for all purposes.

Persons compensable (2) An application may be made by and compensation may be paid to,

(a) the victim;

(b) a person who is responsible for the maintenance of the victim and who suffers pecuniary loss or expenses as a result of the injury;

(c) where the death of the victim has resulted, the victim's dependants or any of them.

Compensation **4.**—(1) Compensation may be awarded by the Board for,

(a) expenses actually and reasonably incurred as a result of the victim's injury or death;

(b) pecuniary loss to the victim as a result of total or partial incapacity for work;

(c) pecuniary loss to dependants as a result of the victim's death;

(d) pain and suffering;

(e) other pecuniary loss resulting from the victim's injury and any expense that, in the opinion of the Board, it is reasonable to incur.

Exception for relatives of offender (2) Clause *d* of subsection 1 does not apply in respect of compensation awarded to a relative of the offender or a member of the offender's household.

5. In determining whether to make an order for compensation and the amount thereof, the Board may have regard to all such circumstances as it considers relevant, including any behaviour of the victim that directly or indirectly contributed to his injury or death. Considerations of Board

6. An application for compensation shall be made within one year after the date of the death or injury but the Board may, in its discretion, extend the time for such further period as it deems just. Limitation period for application

7.—(1) An order for compensation may be made whether or not any person is prosecuted for or convicted of the offence giving rise to the injury or death but the Board may, of its own motion or upon the application of the Minister of Justice and Attorney General, adjourn its proceedings pending the outcome of a prosecution or intended prosecution. Compensation not dependent on a conviction

(2) An order for compensation does not affect the right of any person to recover from any other person by civil proceedings lawful damages in respect of the injury or death, but, where the Board has granted an order, the Board is subrogated to all the rights of the person in whose favour the order is granted in respect of the injury or death to the extent of the amount awarded in the order. Board subrogated

(3) Any money recovered by the Board under subsection 2 shall be paid into the Consolidated Revenue Fund. Disposition of money recovered

8. Where the applicant for compensation is a victim, he shall submit to such medical or physical examination as the Board requires. Medical examination

9.—(1) The Board may order compensation to be paid in a lump sum or in periodic payments as the Board thinks fit. Form of compensation

(2) Compensation ordered to be paid shall be paid out of the moneys appropriated therefor by the Legislature. Payment of compensation

10.—(1) The amount ordered by the Board to be paid in respect of any one occurrence shall not exceed, Maximum payments

(a) in the case of lump sum payments, a total of \$10,000;
or

(b) in the case of periodic payments, a total of \$500 per month.

Pro rata distributed

(2) Where the total amounts of the claims as allowed by the Board in respect of any one occurrence exceed the amount prescribed by subsection 1, the amount prescribed shall be distributed *pro rata* in proportion to the amounts of the claims.

Procedures on application

11.—(1) Where an application is made to the Board, the Board shall fix a time and place for the hearing of the application and shall cause notice thereof to be given to the applicant, the offender where possible and to any other person appearing to the Board to have an interest in the application.

Public hearings

(2) Every hearing of the Board shall be held in public.

Power to take sworn evidence and summon witnesses

(3) For the purposes of a hearing under this Act, the Board,

(a) may administer oaths to witnesses and require them to give evidence under oath; and

(b) may require to have issued out of the Supreme Court a writ of subpoena *ad testificandum* or a writ of subpoena *duces tecum*, which the court may issue on praecipe, but no person shall be compelled under any such writ to produce any document that he would not be compellable to produce on the trial of an action.

Right to counsel

(4) Any person appearing at a hearing of the Board is entitled to be represented by counsel.

Reasons

(5) The Board shall give written reasons for its decisions.

Publication of evidence

12.—(1) The Board may make an order prohibiting the publication of any report or account of the whole or any part of the evidence at a hearing where the Board deems it necessary, but in making an order under this subsection the Board shall have regard to the desirability of permitting the public to be informed of the principles and nature of each case.

Offence

(2) Any person who publishes a report or account of any evidence at a hearing contrary to an order of the Board under subsection 1 is guilty of an offence and on summary conviction is liable to a fine of not more than \$2,000 or to imprisonment for a term of not more than one year, or to both.

Corporations

(3) Where a corporation is convicted of an offence under subsection 2, the maximum penalty that may be imposed upon the corporation is \$25,000 and not as provided therein.

13. The Board may, at any time, of its own motion or on ^{Variation of orders} the application of the offender or any person in whose favour an order is made, review the order and revoke, confirm or vary the order as the Board deems just in the circumstances.

14. The Lieutenant Governor in Council may make regu- ^{Regulations} lations,

- (a) prescribing rules of procedure in respect of applications to the Board and proceedings of the Board;
- (b) requiring the payment of fees in respect of any matter in the jurisdiction of the Board, including witness fees, and prescribing the amounts thereof;
- (c) prescribing forms for the purposes of this Act and providing for their use;
- (d) respecting any matter necessary or advisable to carry out effectively the intent and purpose of this Act.

15. This Act applies in respect of claims for compensation ^{Application of Act} arising from an injury or death occurring after this Act comes into force.

16. The moneys required for the purposes of this Act shall, ^{Moneys} until the 31st day of March, 1968, be paid out of the Consolidated Revenue Fund, and thereafter shall be paid out of the moneys appropriated therefor by the Legislature.

17. This Act comes into force on a day to be named by the ^{Commence-ment} Lieutenant Governor by his proclamation.

18. This Act may be cited as *The Law Enforcement Com- ^{Short title} pensation Act, 1967.*

An Act to provide Compensation for
Injuries received by Persons assisting
Peace Officers

1st Reading

May 25th, 1967

2nd Reading

June 1st, 1967

3rd Reading

MR. WISHART

*(Reprinted as amended by the
Committee of the Whole House)*

BILL 130

5TH SESSION, 27TH LEGISLATURE, ONTARIO
15-16 ELIZABETH II, 1967

An Act to provide Compensation for Injuries received by Persons assisting Peace Officers

MR. WISHART

TORONTO

PRINTED AND PUBLISHED BY FRANK FOGG, QUEEN'S PRINTER

BILL 130

1967

An Act to provide Compensation for Injuries received by Persons assisting Peace Officers

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. In this Act,

Interpre-
tation

- (a) "Board" means the Law Enforcement Compensation Board;
- (b) "dependant", in respect of a deceased victim, means such of the relatives of the victim as were wholly or partially dependent upon his income at the time of his death and includes a child of the victim born after his death;
- (c) "injury" means actual bodily harm and includes mental or nervous shock, and "injured" has a corresponding meaning;
- (d) "relative", in respect of a victim or offender, means his or her spouse, parent, grandparent, stepfather, stepmother, child, grandchild, brother, sister, half-brother, half-sister or spouse's parent;
- (e) "victim" means a person injured or killed in the circumstances set out in subsection 1 of section 3.

2.—(1) The Law Enforcement Compensation Board is established and shall be composed of not fewer than three and not more than five members who shall be appointed by the Lieutenant Governor in Council, one of whom shall be appointed as chairman.

Law En-
forcement
Compensa-
tion Board
established

(2) Such officers and employees of the Board as are deemed necessary shall be appointed under *The Public Service Act, 1961-62*.

Officers and
employees
1961-62,
c. 121

Quorum (3) Two members of the Board constitute a quorum and are sufficient for the exercise of all the jurisdiction and powers of the Board.

Board a corporation
R.S.O. 1960, c. 71 (4) The Board is a corporation to which *The Corporations Act* does not apply.

Injuries compensable
1953-54, c. 51 (Can.) 3.—(1) Where any person is injured or killed by any act or omission of any other person occurring in or resulting directly from assisting a peace officer, as defined in the *Criminal Code* (Canada), in arresting any person or in preserving the peace, the Board may, on application therefor and after a hearing, make an order in its discretion exercised in accordance with this Act for the payment of compensation, and the decision of the Board is final and conclusive for all purposes.

Persons compensable (2) An application may be made by and compensation may be paid to,

- (a) the victim;
- (b) a person who is responsible for the maintenance of the victim and who suffers pecuniary loss or expenses as a result of the injury;
- (c) where the death of the victim has resulted, the victim's dependants or any of them.

Compensation 4.—(1) Compensation may be awarded by the Board for,

- (a) expenses actually and reasonably incurred as a result of the victim's injury or death;
- (b) pecuniary loss to the victim as a result of total or partial incapacity for work;
- (c) pecuniary loss to dependants as a result of the victim's death;
- (d) pain and suffering;
- (e) other pecuniary loss resulting from the victim's injury and any expense that, in the opinion of the Board, it is reasonable to incur.

Exception for relatives of offender (2) Clause *d* of subsection 1 does not apply in respect of compensation awarded to a relative of the offender or a member of the offender's household.

5. In determining whether to make an order for compensation and the amount thereof, the Board may have regard to all such circumstances as it considers relevant, including any behaviour of the victim that directly or indirectly contributed to his injury or death. Considerations of Board

6. An application for compensation shall be made within one year after the date of the death or injury but the Board may, in its discretion, extend the time for such further period as it deems just. Limitation period for application

7.—(1) An order for compensation may be made whether or not any person is prosecuted for or convicted of the offence giving rise to the injury or death but the Board may, of its own motion or upon the application of the Minister of Justice and Attorney General, adjourn its proceedings pending the outcome of a prosecution or intended prosecution. Compensation not dependent on a conviction

(2) An order for compensation does not affect the right of any person to recover from any other person by civil proceedings lawful damages in respect of the injury or death, but, where the Board has granted an order, the Board is subrogated to all the rights of the person in whose favour the order is granted in respect of the injury or death to the extent of the amount awarded in the order. Board subrogated

(3) Any money recovered by the Board under subsection 2 shall be paid into the Consolidated Revenue Fund. Disposition of money recovered

8. Where the applicant for compensation is a victim, he shall submit to such medical or physical examination as the Board requires. Medical examination

9.—(1) The Board may order compensation to be paid in a lump sum or in periodic payments as the Board thinks fit. Form of compensation

(2) Compensation ordered to be paid shall be paid out of the moneys appropriated therefor by the Legislature. Payment of compensation

10.—(1) The amount ordered by the Board to be paid in respect of any one occurrence shall not exceed, Maximum payments

(a) in the case of lump sum payments, a total of \$10,000;
or

(b) in the case of periodic payments, a total of \$500 per month.

Pro rata
distributed

(2) Where the total amounts of the claims as allowed by the Board in respect of any one occurrence exceed the amount prescribed by subsection 1, the amount prescribed shall be distributed *pro rata* in proportion to the amounts of the claims.

Procedures
on
application

11.—(1) Where an application is made to the Board, the Board shall fix a time and place for the hearing of the application and shall cause notice thereof to be given to the applicant, the offender where possible and to any other person appearing to the Board to have an interest in the application.

Public
hearings

(2) Every hearing of the Board shall be held in public.

Power to
take sworn
evidence
and
summon
witnesses

(3) For the purposes of a hearing under this Act, the Board,

(a) may administer oaths to witnesses and require them to give evidence under oath; and

(b) may require to have issued out of the Supreme Court a writ of subpoena *ad testificandum* or a writ of subpoena *duces tecum*, which the court may issue on praecipe, but no person shall be compelled under any such writ to produce any document that he would not be compellable to produce on the trial of an action.

Right to
counsel

(4) Any person appearing at a hearing of the Board is entitled to be represented by counsel.

Reasons

(5) The Board shall give written reasons for its decisions.

Publication
of evidence

12.—(1) The Board may make an order prohibiting the publication of any report or account of the whole or any part of the evidence at a hearing where the Board deems it necessary, but in making an order under this subsection the Board shall have regard to the desirability of permitting the public to be informed of the principles and nature of each case.

Offence

(2) Any person who publishes a report or account of any evidence at a hearing contrary to an order of the Board under subsection 1 is guilty of an offence and on summary conviction is liable to a fine of not more than \$2,000 or to imprisonment for a term of not more than one year, or to both.

Corporations

(3) Where a corporation is convicted of an offence under subsection 2, the maximum penalty that may be imposed upon the corporation is \$25,000 and not as provided therein.

13. The Board may, at any time, of its own motion or on ^{Variation of orders} the application of the offender or any person in whose favour an order is made, review the order and revoke, confirm or vary the order as the Board deems just in the circumstances.

14. The Lieutenant Governor in Council may make regu- ^{Regulations} lations,

- (a) prescribing rules of procedure in respect of applications to the Board and proceedings of the Board;
- (b) requiring the payment of fees in respect of any matter in the jurisdiction of the Board, including witness fees, and prescribing the amounts thereof;
- (c) prescribing forms for the purposes of this Act and providing for their use;
- (d) respecting any matter necessary or advisable to carry out effectively the intent and purpose of this Act.

15. This Act applies in respect of claims for compensation ^{Application of Act} arising from an injury or death occurring after this Act comes into force.

16. The moneys required for the purposes of this Act shall, ^{Moneys} until the 31st day of March, 1968, be paid out of the Consolidated Revenue Fund, and thereafter shall be paid out of the moneys appropriated therefor by the Legislature.

17. This Act comes into force on a day to be named by the ^{Commence-ment} Lieutenant Governor by his proclamation.

18. This Act may be cited as *The Law Enforcement Com- ^{Short title} pensation Act, 1967.*

An Act to provide Compensation for
Injuries received by Persons assisting
Peace Officers

1st Reading

May 25th, 1967

2nd Reading

June 1st, 1967

3rd Reading

June 12th, 1967

MR. WISHART

BILL 131

5TH SESSION, 27TH LEGISLATURE, ONTARIO
15-16 ELIZABETH II, 1967

An Act to amend The Workmen's Compensation Act

MR. BALES

EXPLANATORY NOTE

The section repealed provides for compensation to persons injured while assisting arrest. It is replaced by *The Law Enforcement Compensation Act, 1967*.

BILL 131

1967

**An Act to amend
The Workmen's Compensation Act**

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Section 122 of *The Workmen's Compensation Act*, as amended by section 12 of *The Workmen's Compensation Amendment Act, 1962-63* and section 7 of *The Workmen's Compensation Amendment Act, 1965*, is repealed. R.S.O. 1960,
c. 437, s. 122.
repealed
2. This Act comes into force on a day to be named by the Lieutenant Governor by his proclamation. Commence-
ment
3. This Act may be cited as *The Workmen's Compensation Amendment Act, 1967*. Short title

An Act to amend
The Workmen's Compensation Act

1st Reading

May 26th, 1967

2nd Reading

3rd Reading

MR. BALES

BILL 131

5TH SESSION, 27TH LEGISLATURE, ONTARIO
15-16 ELIZABETH II, 1967

An Act to amend The Workmen's Compensation Act

MR. BALES

BILL 131

1967

**An Act to amend
The Workmen's Compensation Act**

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Section 122 of *The Workmen's Compensation Act*, as amended by section 12 of *The Workmen's Compensation Amendment Act, 1962-63* and section 7 of *The Workmen's Compensation Amendment Act, 1965*, is repealed. R.S.O. 1960,
c. 437, s. 122,
repealed

2. This Act comes into force on a day to be named by the Lieutenant Governor by his proclamation. Commence-
ment

3. This Act may be cited as *The Workmen's Compensation Amendment Act, 1967*. Short title

An Act to amend
The Workmen's Compensation Act

1st Reading

May 26th, 1967

2nd Reading

June 1st, 1967

3rd Reading

June 12th, 1967

MR. BALES

BILL 132

5TH SESSION, 27TH LEGISLATURE, ONTARIO
15-16 ELIZABETH II, 1967

An Act to amend The Teaching Profession Act

MR. DAVIS

EXPLANATORY NOTES

SECTION 1. "Teacher" is redefined to include teachers who are not full-time classroom teachers.

SECTION 2. Self-explanatory.

BILL 132

1967

An Act to amend The Teaching Profession Act

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Clause *h* of section 1 of *The Teaching Profession Act* is repealed and the following substituted therefor: R.S.O. 1960, c. 393, s. 1, cl. *h*, re-enacted

(*h*) "teacher" means a person who is legally qualified to teach in an elementary or secondary school and is under contract in accordance with Parts II and III of *The Schools Administration Act* but does not include an inspector, an instructor in a teacher-training institution or a person employed to teach in a school for a period not exceeding one month. R.S.O. 1960, c. 361

2. Section 4 of *The Teaching Profession Act* is amended by adding thereto the following subsection: R.S.O. 1960, c. 393, s. 4, amended

(3) Every person who was a member of the Federation upon retirement and who is receiving a pension or an allowance under *The Teachers' Superannuation Act* may, on request, be an associate member of the Federation. Persons receiving pension under R.S.O. 1960, c. 392

3. This Act comes into force on the day it receives Royal Assent. Commencement

4. This Act may be cited as *The Teaching Profession Amendment Act, 1967*. Short title

An Act to amend
The Teaching Profession Act

1st Reading

June 1st, 1967

2nd Reading

3rd Reading

MR. DAVIS

BILL 132

5TH SESSION, 27TH LEGISLATURE, ONTARIO
15-16 ELIZABETH II, 1967

BILL 132

1967

An Act to amend The Teaching Profession Act

MR. DAVIS

TORONTO

PRINTED AND PUBLISHED BY FRANK FOGG, QUEEN'S PRINTER

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BILL 132

1967

An Act to amend The Teaching Profession Act

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Clause *h* of section 1 of *The Teaching Profession Act* is repealed and the following substituted therefor: R.S.O. 1960,
c. 393, s. 1,
cl. *h*,
re-enacted

(*h*) "teacher" means a person who is legally qualified to teach in an elementary or secondary school and is under contract in accordance with Parts II and III of *The Schools Administration Act* but does not include an inspector, an instructor in a teacher-training institution or a person employed to teach in a school for a period not exceeding one month. R.S.O. 1960,
c. 361

2. Section 4 of *The Teaching Profession Act* is amended by adding thereto the following subsection: R.S.O. 1960,
c. 393, s. 4,
amended

(3) Every person who was a member of the Federation upon retirement and who is receiving a pension or an allowance under *The Teachers' Superannuation Act* may, on request, be an associate member of the Federation. Persons
receiving
pension
under
R.S.O. 1960,
c. 392

3. This Act comes into force on the day it receives Royal Assent. Commence-
ment

4. This Act may be cited as *The Teaching Profession Amendment Act, 1967*. Short title

An Act to amend
The Teaching Profession Act

1st Reading

June 1st, 1967

2nd Reading

June 5th, 1967

3rd Reading

June 12th, 1967

MR. DAVIS

BILL 133

5TH SESSION, 27TH LEGISLATURE, ONTARIO
15-16 ELIZABETH II, 1967

An Act to amend The Teachers' Superannuation Act

MR. DAVIS

EXPLANATORY NOTES

SECTION 1—Subsection 1. This new provision will enable qualified teachers employed by a college of applied arts and technology or by the Ontario Council of Regents for Colleges of Applied Arts and Technology to elect to contribute either to the retirement pension plan of the colleges or to the Teachers' Superannuation Fund.

Subsection 2. Complementary to subsection 1.

SECTION 2. The reduction factor because of contributions to the Canada Pension Plan does not apply to a person who retires after the age of 62 until such time as he becomes eligible for a pension under the Canada Pension Plan.

An Act to amend The Teachers' Superannuation Act

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1.—(1) Section 17*b* of *The Teachers' Superannuation Act*,^{R.S.O. 1960, c. 392, s. 17*b*} as enacted by section 7 of *The Teachers' Superannuation Amendment Act, 1966*,^{(1966, c. 152, s. 7),} is amended by adding thereto the amended following subsection:

(3*a*) Every person now or hereafter on the staff of a C.A.A.T. college of applied arts and technology or the Ontario Council of Regents for Colleges of Applied Arts and Technology on the 1st day of July, 1966, who is eligible to contribute to the Fund shall, within three months after this section comes into force or within three months after joining such staff, whichever is the later, by notice in writing to the Commission and to the college or Council, as the case may be, elect to contribute to the Fund or to the retirement pension plan of the colleges.

(2) Subsection 4 of the said section 17*b* is amended by^{R.S.O. 1960, c. 392, s. 17*b*} striking out "or 3" in the first line and inserting in lieu thereof^{(1966, c. 152, s. 7),} "3 or 3*a*", so that the subsection shall read as follows:
subs. 4,
amended

(4) A person to whom subsection 1, 2, 3 or 3*a* applies^{No other election} shall not have any other right of election and, if he fails to exercise his right of election thereunder, he shall be deemed to have elected to contribute to the Fund.

2. Section 27 of *The Teachers' Superannuation Act*, as^{R.S.O. 1960, c. 392, s. 27,} amended by section 13 of *The Teachers' Superannuation Amendment Act, 1966*, is further amended by adding thereto the following subsection:

Idem

- (2a) Where a person ceased to be employed after having attained the age of sixty-two years and before he has attained the age at which he could become eligible for a benefit under the Canada Pension Plan, the reduction mentioned in subsection 2 of section 25 does not apply until the first day of the month following the month in which he attains such age.

R.S.O. 1960,
c. 392, s. 53,
repealed

- 3.** Section 53 of *The Teachers' Superannuation Act*, as amended by section 28 of *The Teachers' Superannuation Amendment Act, 1966*, is repealed.

R.S.O. 1960,
c. 392,
amended

- 4.** *The Teachers' Superannuation Act* is amended by adding thereto the following section:

Transfer
agreements

60. Subject to the approval of the Lieutenant Governor in Council, the Commission may enter into agreements with the Government of Canada or the government of any province of Canada or any agency of any of them respecting the terms and conditions upon which persons may transfer to or from the Fund from or to a similar fund of the Government of Canada, the government of any province of Canada or any agency of any of them.

Commence-
ment

- 5.**—(1) This Act, except sections 2 and 3, comes into force on the day it receives Royal Assent.

Idem

- (2) Section 2 shall be deemed to have come into force on the 1st day of January, 1967.

Idem

- (3) Section 3 comes into force on the 31st day of August, 1967.

Short title

- 6.** This Act may be cited as *The Teachers' Superannuation Amendment Act, 1967*.

SECTION 3. The section repealed reads:

53. Notwithstanding sections 48 and 52, a person who has been employed for fewer than twenty days in a school year is entitled to a refund of an amount equal to the whole of his contributions to the Fund for that school year, without interest.

SECTION 4. Self-explanatory.

An Act to amend
The Teachers' Superannuation Act

1st Reading

June 1st, 1967

2nd Reading

3rd Reading

MR. DAVIS

BILL 133

5TH SESSION, 27TH LEGISLATURE, ONTARIO
15-16 ELIZABETH II, 1967

An Act to amend The Teachers' Superannuation Act

MR. DAVIS

BILL 133

1967

An Act to amend The Teachers' Superannuation Act

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1.—(1) Section 17*b* of *The Teachers' Superannuation Act*, R.S.O. 1960, c. 392, s. 17*b* as enacted by section 7 of *The Teachers' Superannuation Amendment Act, 1966*, (1966, c. 152, s. 7), amended is amended by adding thereto the following subsection:

(3*a*) Every person now or hereafter on the staff of a C.A.A.T. college of applied arts and technology or the Ontario Council of Regents for Colleges of Applied Arts and Technology on the 1st day of July, 1966, who is eligible to contribute to the Fund shall, within three months after this section comes into force or within three months after joining such staff, whichever is the later, by notice in writing to the Commission and to the college or Council, as the case may be, elect to contribute to the Fund or to the retirement pension plan of the colleges.

(2) Subsection 4 of the said section 17*b* is amended by R.S.O. 1960, c. 392, s. 17*b* striking out "or 3" in the first line and inserting in lieu thereof (1966, c. 152, s. 7), "3 or 3*a*", so that the subsection shall read as follows: subs. 4, amended

(4) A person to whom subsection 1, 2, 3 or 3*a* applies No other election shall not have any other right of election and, if he fails to exercise his right of election thereunder, he shall be deemed to have elected to contribute to the Fund.

2. Section 27 of *The Teachers' Superannuation Act*, as R.S.O. 1960, c. 392, s. 27, amended amended by section 13 of *The Teachers' Superannuation Amendment Act, 1966*, is further amended by adding thereto the following subsection:

Idem

- (2a) Where a person ceased to be employed after having attained the age of sixty-two years and before he has attained the age at which he could become eligible for a benefit under the Canada Pension Plan, the reduction mentioned in subsection 2 of section 25 does not apply until the first day of the month following the month in which he attains such age.

R.S.O. 1960,
c. 392, s. 53,
repealed

- 3.** Section 53 of *The Teachers' Superannuation Act*, as amended by section 28 of *The Teachers' Superannuation Amendment Act, 1966*, is repealed.

R.S.O. 1960,
c. 392,
amended

- 4.** *The Teachers' Superannuation Act* is amended by adding thereto the following section:

Transfer
agreements

60. Subject to the approval of the Lieutenant Governor in Council, the Commission may enter into agreements with the Government of Canada or the government of any province of Canada or any agency of any of them respecting the terms and conditions upon which persons may transfer to or from the Fund from or to a similar fund of the Government of Canada, the government of any province of Canada or any agency of any of them.

Commence-
ment

- 5.—**(1) This Act, except sections 2 and 3, comes into force on the day it receives Royal Assent.

Idem

- (2) Section 2 shall be deemed to have come into force on the 1st day of January, 1967.

Idem

- (3) Section 3 comes into force on the 31st day of August, 1967.

Short title

- 6.** This Act may be cited as *The Teachers' Superannuation Amendment Act, 1967*.

An Act to amend
The Teachers' Superannuation Act

1st Reading

June 1st, 1967

2nd Reading

June 5th, 1967

3rd Reading

June 12th, 1967

MR. DAVIS

BILL 134

5TH SESSION, 27TH LEGISLATURE, ONTARIO
15-16 ELIZABETH II, 1967

An Act to amend The Separate Schools Act

MR. DAVIS

AN ACT TO AMEND THE ACTS RELATIVE TO THE
SCHOOL BOARDS OF THE STATE OF NEW YORK

SECTION 1. Subsection 1. The amendment provides for the dissolution of boards combined to form a combined separate school board and for the vesting of property of such boards in the combined separate school board.

EXPLANATORY NOTES

SECTION 1—Subsection 1. The amendment provides for the dissolution of boards combined to form a combined separate school board and for the vesting of property of such boards in the combined separate school board.

Subsection 2. The subsection is re-enacted to provide for the name of a combined separate school board where separate school zones in territory without municipal organization are concerned.

BILL 134

1967

An Act to amend The Separate Schools Act

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1.—(1) Section 32 of *The Separate Schools Act*, as amended by section 4 of *The Separate Schools Amendment Act, 1961-62*, subsections 1 and 3 of section 5 of *The Separate Schools Amendment Act, 1962-63*, section 6 of *The Separate Schools Amendment Act, 1965* and section 5 of *The Separate Schools Amendment Act, 1966*, is further amended by adding thereto the following subsection:

- (1b) When a combined separate school becomes one school for all Roman Catholic separate school purposes, the board of each school forming part of the union is dissolved, and all the real and personal property vested in such board is vested in the board of the combined separate school.

(2) Subsection 2 of the said section 32, as re-enacted by subsection 1 of section 6 of *The Separate Schools Amendment Act, 1965*, is repealed and the following substituted therefor:

- (2) The trustees of a combined separate school are a corporation by the name of "The Board of the Combined Roman Catholic Separate Schools of " (in the case of a combined separate school zone including one or more urban municipalities, insert in order of population, commencing with the municipality having the greatest population, the names of the urban municipalities and, in alphabetical order, the township municipalities and geographic townships in which the Board has one or more centres and the names of rural zones in unsurveyed territory but, where an urban municipality has a population of 2,000 or more, the names of the municipalities having a population of less than 2,000

may be omitted and, in the case of a combined separate school zone that does not include an urban municipality, insert in alphabetical order the names of the township municipalities and geographic townships in which the Board has one or more centres and the names of rural zones in unsurveyed territory and, where the centres of two or more combined separate school zones are located in the same municipality or geographic township, a number shall be assigned by the inspector).

R.S.O. 1960,
c. 368, s. 32,
subs. 2a
(1961-62,
c. 132, s. 4,
subs. 1),
re-enacted

(3) Subsection 2a of the said section 32, as enacted by subsection 1 of section 4 of *The Separate Schools Amendment Act, 1961-62* and amended by subsection 2 of section 5 of *The Separate Schools Amendment Act, 1966*, is repealed and the following substituted therefor:

First
trustees

(2a) For the purpose of electing the first trustees for a combined separate school, the boards of the separate schools forming the combined separate school shall, before the 1st day of December, each appoint a person to a committee, which shall arrange for the election of trustees in accordance with section 27 or 38 and may pass a resolution adopting municipal elections under section 39.

R.S.O. 1960,
c. 368, s. 32,
subs. 2b
(1966,
c. 143, s. 5,
subs. 3),
amended

(4) Subsection 2b of the said section 32, as enacted by subsection 3 of section 5 of *The Separate Schools Amendment Act, 1966*, is amended by striking out "subsection 6" in the sixth line and inserting in lieu thereof "subsections 6 and 6a", so that the subsection shall read as follows:

Trustees

(2b) Where a combined separate school is formed or where another separate school is added to or detached from a combined separate school, the trustees in office shall retire on the 1st day of January following the election of trustees of the combined separate school, and, subject to subsections 6 and 6a, five trustees shall be elected by the supporters of the newly-created or altered combined separate school as provided in section 27.

R.S.O. 1960,
c. 368, s. 32,
amended

(5) The said section 32 is further amended by adding thereto the following subsections:

Resolution
providing
for
trustees

(6a) Notwithstanding subsections 2b and 6, the board of a combined separate school may be composed of such number of trustees, not fewer than five or more than thirteen, representing such municipalities or parts thereof, or separate school zones in territory without municipal organization, within the combined

Subsections 3, 4, and 5. The amendments provide an alternative method to electing trustees at large in a combined separate school zone.

SECTION 2. The provision providing for the election of trustees when a school is detached from a combined separate school zone is amended to refer to urban elections as well as rural elections.

separate school zone as is provided for in a resolution passed by the board, or, in the case of a newly-formed combined separate school, by the committee formed under subsection 2a, and the board of the combined separate school zone shall be deemed to be an urban separate school board.

- (6b) Where a resolution is passed under subsection 6a, ^{Election and term of office} the trustees shall be elected at large in the areas within the combined separate school zone that they respectively represent, and sections 38, 39 and 40 apply *mutatis mutandis*, provided that, where a municipality is divided into wards, the resolution may provide for representation by wards, and the trustees shall hold office for such terms as the resolution prescribes.
- (6c) Where one or more trustees represent two or more ^{Voters' list for areas in combined zone} municipalities or parts thereof, or two or more municipalities or parts thereof and one or more separate school zones in territory without municipal organization and a resolution is passed adopting municipal elections under section 39, the resolution shall state in which municipality the vote is to be conducted, and the clerk of each other municipality or part thereof and the secretary of each separate school zone that is represented by the same trustee or trustees shall furnish to the clerk of the municipality in which the vote is to be conducted a list of voters of the municipality or part or zone indicating the names of all persons thereon who are separate school supporters.
- (6d) The board or committee that passes a resolution ^{Copy of resolution to be sent to Minister} under subsection 6a shall forthwith send a copy thereof to the Minister.

2. Subsection 3 of section 32a of *The Separate Schools Act*, ^{R.S.O. 1960, c. 368, s. 32a} as enacted by section 5 of *The Separate Schools Amendment Act, 1961-62* and amended by section 4 of *The Separate Schools Amendment Act, 1964*, ^{(1961-62, c. 132, s. 5), subs. 3, amended} is further amended by adding at the end thereof "or 38, as the case may be", so that the subsection shall read as follows:

- (3) If, before the 1st day of July in any year, a majority ^{When school detached} of the supporters who are entitled to vote on the question vote in favour of detaching the school, it is detached on the 1st day of January of the following year, except that, for the purposes of the election of trustees, it shall be deemed to be detached on the

day of nomination for trustees, and the requisite number of trustees of the separate school so detached shall be elected as provided in section 27 or 38, as the case may be.

R.S.O. 1960,
c. 368, s. 35
(1960-61,
c. 94, s. 4),
subs. 2,
amended

3.—(1) Subsection 2 of section 35 of *The Separate Schools Act*, as re-enacted by section 4 of *The Separate Schools Amendment Act, 1960-61*, is amended by striking out “on the assessment roll” in the third line and inserting in lieu thereof “by the municipal census”, so that the subsection, exclusive of the clauses, shall read as follows:

Number of
trustees

- (2) The number of the trustees on the urban separate school board shall be determined by the population of the municipality as shown by the municipal census for the year preceding the year in which the election is held, as follows, where the population was,

R.S.O. 1960,
c. 368, s. 35
(1960-61,
c. 94, s. 4),
subs. 3,
amended

(2) Subsection 3 of the said section 35 is amended by striking out “assessment roll” in the first line and inserting in lieu thereof “census”, so that the subsection shall read as follows:

Change in
number of
trustees

- (3) Where it becomes evident from the census of a municipality that the number of trustees on an urban separate school board should be increased or decreased, at the next election of trustees the proper number of trustees shall be elected, and the trustees then in office shall continue in office until the new board is elected.

R.S.O. 1960,
c. 368, s. 36c
(1960-61,
c. 94, s. 4),
repealed

4. Section 36c of *The Separate Schools Act*, as enacted by section 4 of *The Separate Schools Amendment Act, 1960-61*, is repealed.

R.S.O. 1960,
c. 368, s. 48
(1962-63,
c. 132, s. 8),
subs. 5,
amended

5.—(1) Subsection 5 of section 48 of *The Separate Schools Act*, as re-enacted by section 8 of *The Separate Schools Amendment Act, 1962-63*, is amended by inserting after “concerned” in the seventh line “and the secretaries of boards of public school sections affected in territory without municipal organization”, so that the subsection shall read as follows:

Centre
where board
does not
operate
school or
own site

- (5) Where a board does not operate a separate school or own a parcel of land, a parcel of land approved by the supporters for the purpose of determining the centre of the zone shall be deemed to be the site of a separate school for such purpose, and the board shall

SECTION 3. The provisions now refer to population as shown on the assessment roll. Population is shown on the municipal census in accordance with section 29 of *The Assessment Act* and the reference is changed accordingly.

SECTION 4. The section providing for the resignation of trustees is no longer necessary as section 44a of *The Schools Administration Act* now provides uniformly for the resignation of trustees.

SECTION 5—Subsection 1. Provision is made for the notification of public school boards in territory without municipal organization in connection with centres of separate school zones where the separate school board does not operate a school or own a site.

Subsection 2. Provision is made for the assessment commissioner to receive a zone map.

SECTION 6. The amendment is to make the subsection consistent with a similar provision in *The Public Schools Act*.

notify the Minister and the clerks of the municipalities concerned and the secretaries of boards of public school sections affected in territory without municipal organization before the 30th day of September of the year in which the parcel was so approved.

(2) Subclause ii of clause *e* of subsection 11 of the said section 48, as enacted by section 8 of *The Separate Schools Amendment Act, 1962-63* and amended by section 9 of *The Separate Schools Amendment Act, 1966*, is repealed and the following substituted therefor:

R.S.O. 1960,
c. 368, s. 48
(1962-63,
c. 132, s. 8),
subs. 11,
cl. *e*,
subcl. ii,
re-enacted

- (ii) to the township clerk and assessor or assessment commissioner, a map showing the zone boundaries and a description of each zone, and

6. Subsection 2 of section 62 of *The Separate Schools Act*, as re-enacted by section 11 of *The Separate Schools Amendment Act, 1965*, is amended by striking out "on the warrant of the proper inspector" in the seventh line, so that the subsection shall read as follows:

R.S.O. 1960,
c. 368, s. 62,
subs. 2
(1965,
c. 122, s. 11),
amended

- (2) Any expenses attending the assessment, collection or payment of school rates by the municipal corporation shall be borne by the corporation, and the rates and taxes collected for separate school purposes shall be paid by the corporation to the treasurer of the board from time to time as may be required by the board and in any event not later than the 15th day of December in the year in which the rates are levied.

Expenses of
collection

7. This Act comes into force on the day it receives Royal Assent.

Commence-
ment

8. This Act may be cited as *The Separate Schools Amendment Act, 1967*.

Short title

An Act to amend
The Separate Schools Act

1st Reading

June 1st, 1967

2nd Reading

3rd Reading

MR. DAVIS

BILL 134

5TH SESSION, 27TH LEGISLATURE, ONTARIO
15-16 ELIZABETH II, 1967

An Act to amend The Separate Schools Act

MR. DAVIS

An Act to amend The Separate Schools Act

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1.—(1) Section 32 of *The Separate Schools Act*, as amended R.S.O. 1960, c. 368, s. 32, amended by section 4 of *The Separate Schools Amendment Act, 1961-62*, subsections 1 and 3 of section 5 of *The Separate Schools Amendment Act, 1962-63*, section 6 of *The Separate Schools Amendment Act, 1965* and section 5 of *The Separate Schools Amendment Act, 1966*, is further amended by adding thereto the following subsection:

(1b) When a combined separate school becomes one Dissolution of boards school for all Roman Catholic separate school purposes, the board of each school forming part of the union is dissolved, and all the real and personal property vested in such board is vested in the board of the combined separate school.

(2) Subsection 2 of the said section 32, as re-enacted by R.S.O. 1960, c. 368, s. 32, subs. 2 (1965, c. 122, s. 6, subs. 1), re-enacted subsection 1 of section 6 of *The Separate Schools Amendment Act, 1965*, is repealed and the following substituted therefor:

(2) The trustees of a combined separate school are a Corporate name corporation by the name of "The Board of the Combined Roman Catholic Separate Schools of " (in the case of a combined separate school zone including one or more urban municipalities, insert in order of population, commencing with the municipality having the greatest population, the names of the urban municipalities and, in alphabetical order, the township municipalities and geographic townships in which the Board has one or more centres and the names of rural zones in unsurveyed territory but, where an urban municipality has a population of 2,000 or more, the names of the municipalities having a population of less than 2,000

may be omitted and, in the case of a combined separate school zone that does not include an urban municipality, insert in alphabetical order the names of the township municipalities and geographic townships in which the Board has one or more centres and the names of rural zones in unsurveyed territory and, where the centres of two or more combined separate school zones are located in the same municipality or geographic township, a number shall be assigned by the inspector).

R.S.O. 1960,
c. 368, s. 32,
subs. 2a
(1961-62,
c. 132, s. 4,
subs. 1),
re-enacted

(3) Subsection 2a of the said section 32, as enacted by subsection 1 of section 4 of *The Separate Schools Amendment Act, 1961-62* and amended by subsection 2 of section 5 of *The Separate Schools Amendment Act, 1966*, is repealed and the following substituted therefor:

First
trustees

(2a) For the purpose of electing the first trustees for a combined separate school, the boards of the separate schools forming the combined separate school shall, before the 1st day of December, each appoint a person to a committee, which shall arrange for the election of trustees in accordance with section 27 or 38 and may pass a resolution adopting municipal elections under section 39.

R.S.O. 1960,
c. 368, s. 32,
subs. 2b
(1966,
c. 143, s. 5,
subs. 3),
amended

(4) Subsection 2b of the said section 32, as enacted by subsection 3 of section 5 of *The Separate Schools Amendment Act, 1966*, is amended by striking out "subsection 6" in the sixth line and inserting in lieu thereof "subsections 6 and 6a", so that the subsection shall read as follows:

Trustees

(2b) Where a combined separate school is formed or where another separate school is added to or detached from a combined separate school, the trustees in office shall retire on the 1st day of January following the election of trustees of the combined separate school, and, subject to subsections 6 and 6a, five trustees shall be elected by the supporters of the newly-created or altered combined separate school as provided in section 27.

R.S.O. 1960,
c. 368, s. 32,
amended

(5) The said section 32 is further amended by adding thereto the following subsections:

Resolution
providing
for
trustees

(6a) Notwithstanding subsections 2b and 6, the board of a combined separate school may be composed of such number of trustees, not fewer than five or more than thirteen, representing such municipalities or parts thereof, or separate school zones in territory without municipal organization, within the combined

separate school zone as is provided for in a resolution passed by the board, or, in the case of a newly-formed combined separate school, by the committee formed under subsection 2a, and the board of the combined separate school zone shall be deemed to be an urban separate school board.

- (6b) Where a resolution is passed under subsection 6a, ^{Election and term of office} the trustees shall be elected at large in the areas within the combined separate school zone that they respectively represent, and sections 38, 39 and 40 apply *mutatis mutandis*, provided that, where a municipality is divided into wards, the resolution may provide for representation by wards, and the trustees shall hold office for such terms as the resolution prescribes.

- (6c) Where one or more trustees represent two or more ^{Voters' list for areas in combined zone} municipalities or parts thereof, or two or more municipalities or parts thereof and one or more separate school zones in territory without municipal organization and a resolution is passed adopting municipal elections under section 39, the resolution shall state in which municipality the vote is to be conducted, and the clerk of each other municipality or part thereof and the secretary of each separate school zone that is represented by the same trustee or trustees shall furnish to the clerk of the municipality in which the vote is to be conducted a list of voters of the municipality or part or zone indicating the names of all persons thereon who are separate school supporters.

- (6d) The board or committee that passes a resolution ^{Copy of resolution to be sent to Minister} under subsection 6a shall forthwith send a copy thereof to the Minister.

2. Subsection 3 of section 32a of *The Separate Schools Act*, ^{R.S.O. 1960, c. 368, s. 32a (1961-62, c. 132, s. 5), subs. 3, amended} as enacted by section 5 of *The Separate Schools Amendment Act, 1961-62* and amended by section 4 of *The Separate Schools Amendment Act, 1964*, is further amended by adding at the end thereof "or 38, as the case may be", so that the subsection shall read as follows:

- (3) If, before the 1st day of July in any year, a majority ^{When school detached} of the supporters who are entitled to vote on the question vote in favour of detaching the school, it is detached on the 1st day of January of the following year, except that, for the purposes of the election of trustees, it shall be deemed to be detached on the

day of nomination for trustees, and the requisite number of trustees of the separate school so detached shall be elected as provided in section 27 or 38, as the case may be.

R.S.O. 1960,
c. 368, s. 35
(1960-61,
c. 94, s. 4),
subs. 2,
amended

3.—(1) Subsection 2 of section 35 of *The Separate Schools Act*, as re-enacted by section 4 of *The Separate Schools Amendment Act, 1960-61*, is amended by striking out “on the assessment roll” in the third line and inserting in lieu thereof “by the municipal census”, so that the subsection, exclusive of the clauses, shall read as follows:

Number of
trustees

- (2) The number of the trustees on the urban separate school board shall be determined by the population of the municipality as shown by the municipal census for the year preceding the year in which the election is held, as follows, where the population was,

.

R.S.O. 1960,
c. 368, s. 35
(1960-61,
c. 94, s. 4),
subs. 3,
amended

(2) Subsection 3 of the said section 35 is amended by striking out “assessment roll” in the first line and inserting in lieu thereof “census”, so that the subsection shall read as follows:

Change in
number of
trustees

- (3) Where it becomes evident from the census of a municipality that the number of trustees on an urban separate school board should be increased or decreased, at the next election of trustees the proper number of trustees shall be elected, and the trustees then in office shall continue in office until the new board is elected.

R.S.O. 1960,
c. 368, s. 36c
(1960-61,
c. 94, s. 4),
repealed

4. Section 36c of *The Separate Schools Act*, as enacted by section 4 of *The Separate Schools Amendment Act, 1960-61*, is repealed.

R.S.O. 1960,
c. 368, s. 48
(1962-63,
c. 132, s. 8),
subs. 5,
amended

5.—(1) Subsection 5 of section 48 of *The Separate Schools Act*, as re-enacted by section 8 of *The Separate Schools Amendment Act, 1962-63*, is amended by inserting after “concerned” in the seventh line “and the secretaries of boards of public school sections affected in territory without municipal organization”, so that the subsection shall read as follows:

Centre
where board
does not
operate
school or
own site

- (5) Where a board does not operate a separate school or own a parcel of land, a parcel of land approved by the supporters for the purpose of determining the centre of the zone shall be deemed to be the site of a separate school for such purpose, and the board shall

notify the Minister and the clerks of the municipalities concerned and the secretaries of boards of public school sections affected in territory without municipal organization before the 30th day of September of the year in which the parcel was so approved.

(2) Subclause ii of clause *e* of subsection 11 of the said section 48, as enacted by section 8 of *The Separate Schools Amendment Act, 1962-63* and amended by section 9 of *The Separate Schools Amendment Act, 1966*, is repealed and the following substituted therefor: R.S.O. 1960,
c. 368, s. 48
(1962-63,
c. 132, s. 8),
subs. 11,
cl. *e*,
subcl. ii,
re-enacted

- (ii) to the township clerk and assessor or assessment commissioner, a map showing the zone boundaries and a description of each zone, and
-

6. Subsection 2 of section 62 of *The Separate Schools Act*, as re-enacted by section 11 of *The Separate Schools Amendment Act, 1965*, is amended by striking out "on the warrant of the proper inspector" in the seventh line, so that the subsection shall read as follows: R.S.O. 1960,
c. 368, s. 62,
subs. 2
(1965,
c. 122, s. 11),
amended

- (2) Any expenses attending the assessment, collection or payment of school rates by the municipal corporation shall be borne by the corporation, and the rates and taxes collected for separate school purposes shall be paid by the corporation to the treasurer of the board from time to time as may be required by the board and in any event not later than the 15th day of December in the year in which the rates are levied. Expenses of
collection

7. This Act comes into force on the day it receives Royal Assent. Commence-
ment

8. This Act may be cited as *The Separate Schools Amendment Act, 1967*. Short title

An Act to amend
The Separate Schools Act

1st Reading

June 1st, 1967

2nd Reading

June 5th, 1967

3rd Reading

June 12th, 1967

MR. DAVIS

BILL 135

5TH SESSION, 27TH LEGISLATURE, ONTARIO
15-16 ELIZABETH II, 1967

An Act to amend The Public Schools Act

MR. DAVIS

EXPLANATORY NOTES

SECTION 1. The amendment is to make the provision consistent with the three-term school year.

SECTION 2. The amendment is to correct references.

SECTION 3. At present, members of consultative committees may be reimbursed for travelling expenses. The provision is extended to cover all actual expenses incurred on business of the committee.

SECTION 4—Subsection 1. At present, members of consultative committees may be reimbursed for travelling expenses. The provision is extended to cover all actual expenses incurred on business of the committee.

BILL 135

1967

An Act to amend The Public Schools Act

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Subsection 7 of section 5 of *The Public Schools Act*, as enacted by section 1 of *The Public Schools Amendment Act, 1962-63*, is amended by inserting after "second" in the second line "or third", so that the subsection shall read as follows: R.S.O. 1960,
c. 330, s. 5,
subs. 7
(1962-63,
c. 117, s. 1),
amended

(7) The board may provide a class or classes for children to enter school for the first time in the second or third term of any school year on and after a date approved by the board, in which case a child whose birthday is on or after the 1st day of January and before the 1st day of July and who is eligible to be admitted to public school or kindergarten, as the case may be, the following September has the right to attend such a class. Beginners
class

2. Subsection 6 of section 6 of *The Public Schools Act*, as amended by subsection 4 of section 2 of *The Public Schools Amendment Act, 1965*, is further amended by striking out "3, 4 or 9" in the fourth line and inserting in lieu thereof "4, 5 or 10". R.S.O. 1960,
c. 330, s. 6,
subs. 6,
amended

3. Subsection 5 of section 13 of *The Public Schools Act*, as re-enacted by section 3 of *The Public Schools Amendment Act, 1964*, is amended by striking out "of travelling" in the second and third lines and inserting in lieu thereof "incurred", so that the subsection shall read as follows: R.S.O. 1960,
c. 330, s. 13
(1964, c. 95,
s. 3),
subs. 5,
amended

(5) A county may reimburse the members of its consultative committee for their actual expenses incurred on business of the committee. Expenses

4.—(1) Subsection 5 of section 14 of *The Public Schools Act*, as re-enacted by section 3 of *The Public Schools Amendment Act, 1964*, is amended by striking out "of travelling" R.S.O. 1960,
c. 330, s. 14
(1964, c. 95,
s. 3),
subs. 5,
amended

in the third line and inserting in lieu thereof "incurred", so that the subsection shall read as follows:

Expenses

- (5) The Minister may reimburse the members of a committee elected under this section for their actual expenses incurred on business of the committee.

R.S.O. 1960,
c. 330, s. 14,
subs. 12
(1966, c. 129,
s. 4, subs. 4),
Cls. a, c,
re-enacted

- (2) Clauses *a* and *c* of subsection 12 of the said section 14, as re-enacted by subsection 4 of section 4 of *The Public Schools Amendment Act, 1966*, are repealed and the following substituted therefor:

- (a) where the number of trustees is fewer than five or more than nine, or where, by virtue of clause *c*, more than one-half of the municipalities or parts thereof in the district school area are not deemed municipalities for the purposes of such sections 55 and 56, the Minister, on the request of a majority of the councils of the municipalities concerned, may determine the number of trustees to be elected to the board, their terms of office and the municipality or municipalities to be represented by each trustee;

.

- (c) where the assessment for public school purposes in a municipality or part thereof in a district school area is less than 10 per cent of the assessment for public school purposes in the municipality or part thereof having the greatest assessment for public school purposes in the district school area, the first mentioned municipality or part thereof shall not be deemed a municipality for the purposes of such sections 55 and 56.

R.S.O. 1960,
c. 330, s. 14,
subs. 13a
(1966, c. 129,
s. 4, subs. 5),
repealed

- (3) Subsection 13a of the said section 14, as enacted by subsection 5 of section 4 of *The Public Schools Amendment Act, 1966*, is repealed.

R.S.O. 1960,
c. 330, s. 40,
subs. 4
(1966, c. 129,
s. 23,
subs. 1),
re-enacted

- 5.—(1) Subsection 4 of section 40 of *The Public Schools Act*, as re-enacted by subsection 1 of section 23 of *The Public Schools Amendment Act, 1966*, is repealed and the following substituted therefor:

Alteration
of areas

- (4) The council of a county, by a by-law passed before the 1st day of July in any year, may,
- (a) add all or part of a township school area in the county or partly in the county and in one or more adjoining counties to another township school area in the county or in one or more adjoining counties;

Subsection 2. The amendments are to provide for more equitable representation in district school areas where numerous municipalities are included in the district school area.

Subsection 3. The provisions respecting the election of trustees where representation is determined by the Minister are now found in subsection 12 of section 14.

SECTION 5—Subsection 1. The provisions respecting the alteration of township school areas are revised to provide more flexibility.

Subsection 2. The amendment is to make it clear that school areas formed, continued or altered by statute in section 40 may be altered or dissolved in accordance with the Act.

SECTION 6. The amendment authorizes the Minister, on the request of a municipality concerned, to alter the representation on the board of a township school area where the majority of pupils in a municipality or part thereof in the township school area attend a separate school.

SECTION 7—Subsection 1. The amendment is to provide a more suitable name for a board that has jurisdiction in both an urban and a rural area.

- (b) add all of any urban school section, except a city or separated town, or all or part of a union school section in the county or partly in the county and in one or more adjoining counties, except a city or separated town, to a township school area in the county or in one or more adjoining counties,

as recommended by the consultative committee, provided that, if the by-law of the county affects all or part of a municipality that forms part of another county for municipal purposes, or affects a city or separated town, the by-law is not effective unless the council of the other county or the city or separated town, as the case may be, by resolution, consents thereto within ninety days of the passing of the by-law.

(2) The said section 40 is amended by adding thereto the following subsection: R.S.O. 1960, c. 330, s. 40 (1964, c. 95, s. 6), amended

- (16) Every township school area that is formed, continued or altered by this section may be altered or dissolved in accordance with this Act. Alteration of school areas continued by this section

6. Subsection 1 of section 40b of *The Public Schools Act*, as re-enacted by subsection 1 of section 25 of *The Public Schools Amendment Act, 1966*, is amended by striking out "and" at the end of clause b and by adding thereto the following clause: R.S.O. 1960, c. 330, s. 40b, subs. 1 (1966, c. 129, s. 25, subs. 1), amended

- (ba) where on the 30th day of September in any year the percentage that the resident pupils in a municipality or part thereof in a township school area is of the total enrolment of pupils in the township school area is at least ten percentage points less than the percentage that the population of such municipality or part is of the total population of the township school area, the Minister, on the request of the council of a municipality concerned, may determine the number of trustees to be elected in each municipality at the next and subsequent elections to be held in each municipality, and such determination shall remain in effect until changed by the Minister on the request of a municipality concerned; and

7.—(1) Subsection 4 of section 40c of *The Public Schools Act*, as enacted by section 6 of *The Public Schools Amendment Act, 1964*, and amended by subsection 1 of section 14 of *The* R.S.O. 1960, c. 330, s. 40c (1964, c. 95, s. 6), subs. 4, re-enacted

Public Schools Amendment Act, 1965, is repealed and the following substituted therefor:

Corporate
name

- (4) Every board of trustees of a township school area that does not include an urban municipality is a corporation by the name of "The Public School Board of the Township School Area of (*insert name of municipality, or, where more than one municipality is included in the area, insert name selected by the board and approved by the Minister*)".

Idem

- (4a) Every board of trustees of a township school area that includes one or more urban municipalities is a corporation by the name of "The (*insert name selected by the board and approved by the Minister*) Area Public School Board", provided that every such board now in existence shall continue under its present name until changed in accordance with this subsection.

R.S.O. 1960,
c. 330, s. 40c
(1964, c. 95,
s. 6),
subs. 9,
re-enacted

- (2) Subsection 9 of the said section 40c is repealed and the following substituted therefor:

Voters' list

- (9) Where a township school area includes part of a township that is not deemed a municipality for the purposes of subsection 1 or 2 of section 55 of *The Secondary Schools and Boards of Education Act*, the clerk of the township that includes such part shall furnish to the clerk of the municipality to which such part has been attached under subsection 10 a certified copy of the list of voters qualified to vote on school matters in such part of the township.

R.S.O. 1960,
c. 362

R.S.O. 1960,
c. 330, s. 40c,
subs. 10
(1965, c. 109,
s. 14,
subs. 2),
amended

- (3) Subsection 10 of the said section 40c, as enacted by subsection 2 of section 14 of *The Public Schools Amendment Act, 1965*, and amended by subsection 3 of section 26 of *The Public Schools Amendment Act, 1966*, is repealed and the following substituted therefor:

Parts not
rated for
trustee,
attached to
another
municipality
for voting
purposes

- (10) Each part of a township that is included in a township school area but that is not deemed a municipality for the purposes of subsection 1 or 2 of section 55 of *The Secondary Schools and Boards of Education Act* shall, for the purposes of the election of trustees and of voting on school matters, be attached to the township in which the township school area is formed or, where the township school area includes all or parts of two or more other municipalities, it shall be attached for such purposes, by resolution, by the public school consultative committee of the county

Subsection 2. Provision is made for the furnishing of a copy of the voters' list where a part of a township is not deemed a municipality for the purpose of representation.

Subsection 3. The amendment is to make the subsection apply to a township school area that includes parts of municipalities as well as one that includes all of two or more municipalities.

SECTION 8. Sections 21 to 23 referred to in subsection 7 have been repealed.

SECTION 9. The amendment is to include continuation school districts as well as high school districts.

SECTION 10. The amendment will require the cost of providing polling places in territory without municipal organization to be included in the estimates of the organized territory as a cost chargeable to the ratepayers in such territory.

SECTION 11. The provision authorizing the collection of rates by school boards in territory without municipal organization by court action is transferred to *The Schools Administration Act* and made applicable to all school boards in territory without municipal organization.

SECTION 12. Section 64 is obsolete and is, therefore, repealed. The provisions for the issue of debentures on the application of a board of education are to be found in section 52 of *The Secondary Schools and Boards of Education Act*.

in which the township school area or the part of the township school area having the greatest assessment is located, to one of such other municipalities.

8. Subsection 7 of section 41 of *The Public Schools Act*, R.S.O. 1960, c. 330, s. 41, as amended by section 27 of *The Public Schools Amendment Act, 1966*, is further amended by striking out "21 to 23" in the third line. subs. 7, amended

9. Subsection 11 of section 55 of *The Public Schools Act*, R.S.O. 1960, c. 330, s. 55, as re-enacted by subsection 4 of section 34 of *The Public Schools Amendment Act, 1966*, is amended by striking out "high" in the third line, in the sixth line, in the seventh line and in the fourteenth line and inserting in lieu thereof in each instance "secondary", so that the subsection shall read as follows: subs. 11 (1966, c. 129, s. 34, subs. 4), amended

- (11) Where a part of a union school section or a county, district or township school area in a municipality is also in a secondary school district, and another part of the union school section or county, district or township school area is in an adjoining municipality that does not form part of a secondary school district, and the secondary school board is furnishing transportation for its resident pupils, the public school board of the union school section or county, district or township school area may furnish transportation for secondary school pupils whose parents or guardians are public school supporters and who reside in the part of the union school section or county, district or township school area that is not in the secondary school district and may require the council of such adjoining municipality to levy the cost of the transportation for the preceding year, less the legislative grant paid thereon, on the taxable property of the public school supporters in that part of the union school section or county, district or township school area. Levy for transportation costs for secondary school pupils resident in part of school section not in secondary school district

10. Subsection 2 of section 59 of *The Public Schools Act* R.S.O. 1960, c. 330, s. 59, is amended by striking out "and" at the end of clause a, by adding "and" at the end of clause b and by adding thereto the following clause: subs. 2, amended

- (c) include the cost of providing polling places in such territory.

11. Section 62 of *The Public Schools Act* is repealed.

R.S.O. 1960, c. 330, s. 62, repealed

12. Section 64 of *The Public Schools Act* is repealed.

R.S.O. 1960, c. 330, s. 64, repealed

R.S.O. 1960,
c. 330, s. 69,
subs. 3,
re-enacted

13. Subsection 3 of section 69 of *The Public Schools Act*, as amended by section 8 of *The Public Schools Amendment Act, 1964*, is repealed and the following substituted therefor:

Municipality
to account
for moneys

- (3) The council of each municipality shall annually account for all moneys collected for public school purposes, and the sum required by the board of the school section for school purposes shall be paid over to the board not later than the 15th day of December, and any sum collected in excess of the sum required by the board for school purposes shall be retained by the municipality and applied to reduce the sum that the municipality is required by such board to raise for school purposes in the following year.

R.S.O. 1960,
c. 330, s. 74,
subs. 1, cl. b
(1965, c. 109,
s. 20),
subcl. iv,
amended

14.—(1) Subclause iv of clause b of subsection 1 of section 74 of *The Public Schools Act*, as re-enacted by section 20 of *The Public Schools Amendment Act, 1965*, is amended by striking out "v" in the fourth line, so that the subclause shall read as follows:

- (iv) may provide for expenditures for permanent improvements, provided that the total of expenditures for permanent improvements referred to in subparagraphs i, ii, iii and vii of paragraph 25 of subsection 2 of section 1 of *The Schools Administration Act* shall not exceed a sum calculated at two mills in the dollar upon the total assessment of the taxable property of public school supporters in the school section according to the last revised assessment roll, and for further expenditures if such further expenditures are approved in the manner provided for approving debentures for permanent improvements.

R.S.O. 1960,
c. 361

- (2) Clauses i and j of subsection 2 of the said section 74, as enacted by section 12 of *The Public Schools Amendment Act, 1962-63*, are repealed.

R.S.O. 1960,
c. 330, s. 74,
subs. 2,
cls. i, j
(1962-63,
c. 117, s. 12),
repealed

Commence-
ment

15.—(1) This Act, except section 13, comes into force on the day it receives Royal Assent.

Idem

- (2) Section 13 shall be deemed to have come into force on the 1st day of January, 1967.

Short title

16. This Act may be cited as *The Public Schools Amendment Act, 1967*.

SECTION 13. Subsection 3 is revised to bring it in line with the present practice: that is, where the sum collected by a municipality for public school purposes is in excess of the sum required by the board, it is retained by the municipality and applied to reduce the levy to raise the sum required by the board for public school purposes in that municipality in the following year. At present, subsection 3 requires the excess to be paid over to the board.

SECTION 14—Subsection 1. The amendment removes expenditures for “the acquisition of a bus, or other vehicle, used for the transportation of pupils” from the two-mill ceiling with respect to expenditures for permanent improvements that may be included in a board’s estimates.

Subsection 2. These clauses dealing with agreements re accommodation for Indian children are transferred to section 35c of *The Schools Administration Act* and will apply to all boards.

An Act to amend
The Public Schools Act

1st Reading

June 1st, 1967

2nd Reading

3rd Reading

MR. DAVIS

BILL 135

5TH SESSION, 27TH LEGISLATURE, ONTARIO
15-16 ELIZABETH II, 1967

An Act to amend The Public Schools Act

MR. DAVIS

BILL 135

1967

An Act to amend The Public Schools Act

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Subsection 7 of section 5 of *The Public Schools Act*, as enacted by section 1 of *The Public Schools Amendment Act, 1962-63*, is amended by inserting after "second" in the second line "or third", so that the subsection shall read as follows:

R.S.O. 1960,
c. 330, s. 5,
subs. 7
(1962-63,
c. 117, s. 1),
amended

- (7) The board may provide a class or classes for children to enter school for the first time in the second or third term of any school year on and after a date approved by the board, in which case a child whose birthday is on or after the 1st day of January and before the 1st day of July and who is eligible to be admitted to public school or kindergarten, as the case may be, the following September has the right to attend such a class.

Beginners
class

2. Subsection 6 of section 6 of *The Public Schools Act*, as amended by subsection 4 of section 2 of *The Public Schools Amendment Act, 1965*, is further amended by striking out "3, 4 or 9" in the fourth line and inserting in lieu thereof "4, 5 or 10".

R.S.O. 1960,
c. 330, s. 6,
subs. 6,
amended

3. Subsection 5 of section 13 of *The Public Schools Act*, as re-enacted by section 3 of *The Public Schools Amendment Act, 1964*, is amended by striking out "of travelling" in the second and third lines and inserting in lieu thereof "incurred", so that the subsection shall read as follows:

R.S.O. 1960,
c. 330, s. 13
(1964, c. 95,
s. 3),
subs. 5,
amended

- (5) A county may reimburse the members of its consultative committee for their actual expenses incurred on business of the committee.

Expenses

4.—(1) Subsection 5 of section 14 of *The Public Schools Act*, as re-enacted by section 3 of *The Public Schools Amendment Act, 1964*, is amended by striking out "of travelling",

R.S.O. 1960,
c. 330, s. 14
(1964, c. 95,
s. 3),
subs. 5,
amended

in the third line and inserting in lieu thereof "incurred", so that the subsection shall read as follows:

Expenses

- (5) The Minister may reimburse the members of a committee elected under this section for their actual expenses incurred on business of the committee.

R.S.O. 1960,
c. 330, s. 14,
subs. 12
(1966, c. 129,
s. 4, subs. 4),
re-enacted

- (2) Clauses *a* and *c* of subsection 12 of the said section 14, as re-enacted by subsection 4 of section 4 of *The Public Schools Amendment Act, 1966*, are repealed and the following substituted therefor:

- (a) where the number of trustees is fewer than five or more than nine, or where, by virtue of clause *c*, more than one-half of the municipalities or parts thereof in the district school area are not deemed municipalities for the purposes of such sections 55 and 56, the Minister, on the request of a majority of the councils of the municipalities concerned, may determine the number of trustees to be elected to the board, their terms of office and the municipality or municipalities to be represented by each trustee;

- (c) where the assessment for public school purposes in a municipality or part thereof in a district school area is less than 10 per cent of the assessment for public school purposes in the municipality or part thereof having the greatest assessment for public school purposes in the district school area, the first mentioned municipality or part thereof shall not be deemed a municipality for the purposes of such sections 55 and 56.

R.S.O. 1960,
c. 330, s. 14,
subs. 13a
(1966, c. 129,
s. 4, subs. 5),
repealed

- (3) Subsection 13a of the said section 14, as enacted by subsection 5 of section 4 of *The Public Schools Amendment Act, 1966*, is repealed.

R.S.O. 1960,
c. 330, s. 40,
subs. 4
(1966, c. 129,
s. 23,
subs. 1),
re-enacted

- 5.—(1) Subsection 4 of section 40 of *The Public Schools Act*, as re-enacted by subsection 1 of section 23 of *The Public Schools Amendment Act, 1966*, is repealed and the following substituted therefor:

Alteration
of areas

- (4) The council of a county, by a by-law passed before the 1st day of July in any year, may,

- (a) add all or part of a township school area in the county or partly in the county and in one or more adjoining counties to another township school area in the county or in one or more adjoining counties;

- (b) add all of any urban school section, except a city or separated town, or all or part of a union school section in the county or partly in the county and in one or more adjoining counties, except a city or separated town, to a township school area in the county or in one or more adjoining counties,

as recommended by the consultative committee, provided that, if the by-law of the county affects all or part of a municipality that forms part of another county for municipal purposes, or affects a city or separated town, the by-law is not effective unless the council of the other county or the city or separated town, as the case may be, by resolution, consents thereto within ninety days of the passing of the by-law.

- (2) The said section 40 is amended by adding thereto the following subsection:

R.S.O. 1960,
c. 330, s. 40
(1964, c. 95,
s. 6),
amended

- (16) Every township school area that is formed, continued or altered by this section may be altered or dissolved in accordance with this Act.

Alteration
of school
areas
continued
by this
section

6. Subsection 1 of section 40b of *The Public Schools Act*, as re-enacted by subsection 1 of section 25 of *The Public Schools Amendment Act, 1966*, is amended by striking out "and" at the end of clause b and by adding thereto the following clause:

R.S.O. 1960,
c. 330, s. 40b,
subs. 1
(1966, c. 129,
s. 25,
subs. 1),
amended

- (ba) where on the 30th day of September in any year the percentage that the resident pupils in a municipality or part thereof in a township school area is of the total enrolment of pupils in the township school area is at least ten percentage points less than the percentage that the population of such municipality or part is of the total population of the township school area, the Minister, on the request of the council of a municipality concerned, may determine the number of trustees to be elected in each municipality at the next and subsequent elections to be held in each municipality, and such determination shall remain in effect until changed by the Minister on the request of a municipality concerned; and

- 7.—(1) Subsection 4 of section 40c of *The Public Schools Act*, as enacted by section 6 of *The Public Schools Amendment Act, 1964*, and amended by subsection 1 of section 14 of *The*

R.S.O. 1960,
c. 330, s. 40c
(1964, c. 95,
s. 6),
subs. 4,
re-enacted

Public Schools Amendment Act, 1965, is repealed and the following substituted therefor:

Corporate
name

- (4) Every board of trustees of a township school area that does not include an urban municipality is a corporation by the name of "The Public School Board of the Township School Area of (*insert name of municipality, or, where more than one municipality is included in the area, insert name selected by the board and approved by the Minister*)".

Idem

- (4a) Every board of trustees of a township school area that includes one or more urban municipalities is a corporation by the name of "The (*insert name selected by the board and approved by the Minister*) Area Public School Board", provided that every such board now in existence shall continue under its present name until changed in accordance with this subsection.

R.S.O. 1960,
c. 330, s. 40c
(1964, c. 95,
s. 6),
subs. 9,
re-enacted

- (2) Subsection 9 of the said section 40c is repealed and the following substituted therefor:

Voters' list

- (9) Where a township school area includes part of a township that is not deemed a municipality for the purposes of subsection 1 or 2 of section 55 of *The Secondary Schools and Boards of Education Act*, the clerk of the township that includes such part shall furnish to the clerk of the municipality to which such part has been attached under subsection 10 a certified copy of the list of voters qualified to vote on school matters in such part of the township.

R.S.O. 1960,
c. 330, s. 40c,
subs. 10
(1965, c. 109,
s. 14,
subs. 2),
amended

- (3) Subsection 10 of the said section 40c, as enacted by subsection 2 of section 14 of *The Public Schools Amendment Act, 1965*, and amended by subsection 3 of section 26 of *The Public Schools Amendment Act, 1966*, is repealed and the following substituted therefor:

Parts not
rated for
trustee,
attached to
another
municipality
for voting
purposes

- (10) Each part of a township that is included in a township school area but that is not deemed a municipality for the purposes of subsection 1 or 2 of section 55 of *The Secondary Schools and Boards of Education Act* shall, for the purposes of the election of trustees and of voting on school matters, be attached to the township in which the township school area is formed or, where the township school area includes all or parts of two or more other municipalities, it shall be attached for such purposes, by resolution, by the public school consultative committee of the county

in which the township school area or the part of the township school area having the greatest assessment is located, to one of such other municipalities.

8. Subsection 7 of section 41 of *The Public Schools Act*, R.S.O. 1960, c. 330, s. 41, as amended by section 27 of *The Public Schools Amendment Act, 1966*, is further amended by striking out "21 to 23" in the third line. subs. 7, amended

9. Subsection 11 of section 55 of *The Public Schools Act*, R.S.O. 1960, c. 330, s. 55, as re-enacted by subsection 4 of section 34 of *The Public Schools Amendment Act, 1966*, is amended by striking out "high" in the third line, in the sixth line, in the seventh line and in the fourteenth line and inserting in lieu thereof in each instance "secondary", so that the subsection shall read as follows: subs. 11 (1966, c. 129, s. 34, subs. 4), amended

- (11) Where a part of a union school section or a county, district or township school area in a municipality is also in a secondary school district, and another part of the union school section or county, district or township school area is in an adjoining municipality that does not form part of a secondary school district, and the secondary school board is furnishing transportation for its resident pupils, the public school board of the union school section or county, district or township school area may furnish transportation for secondary school pupils whose parents or guardians are public school supporters and who reside in the part of the union school section or county, district or township school area that is not in the secondary school district and may require the council of such adjoining municipality to levy the cost of the transportation for the preceding year, less the legislative grant paid thereon, on the taxable property of the public school supporters in that part of the union school section or county, district or township school area. Levy for transportation costs for secondary school pupils resident in part of school section not in secondary school district

10. Subsection 2 of section 59 of *The Public Schools Act*, R.S.O. 1960, c. 330, s. 59, is amended by striking out "and" at the end of clause *a*, by adding "and" at the end of clause *b* and by adding thereto the following clause: subs. 2, amended

- (c) include the cost of providing polling places in such territory.

11. Section 62 of *The Public Schools Act* is repealed.

R.S.O. 1960, c. 330, s. 62, repealed

12. Section 64 of *The Public Schools Act* is repealed.

R.S.O. 1960, c. 330, s. 64, repealed

R.S.O. 1960,
c. 330, s. 69,
subs. 3,
re-enacted

13. Subsection 3 of section 69 of *The Public Schools Act*, as amended by section 8 of *The Public Schools Amendment Act, 1964*, is repealed and the following substituted therefor:

Municipality
to account
for moneys

- (3) The council of each municipality shall annually account for all moneys collected for public school purposes, and the sum required by the board of the school section for school purposes shall be paid over to the board not later than the 15th day of December, and any sum collected in excess of the sum required by the board for school purposes shall be retained by the municipality and applied to reduce the sum that the municipality is required by such board to raise for school purposes in the following year.

R.S.O. 1960,
c. 330, s. 74,
subs. 1, cl. b
(1965, c. 109,
s. 20),
subcl. iv,
amended

14.—(1) Subclause iv of clause b of subsection 1 of section 74 of *The Public Schools Act*, as re-enacted by section 20 of *The Public Schools Amendment Act, 1965*, is amended by striking out "v" in the fourth line, so that the subclause shall read as follows:

- (iv) may provide for expenditures for permanent improvements, provided that the total of expenditures for permanent improvements referred to in subparagraphs i, ii, iii and vii of paragraph 25 of subsection 2 of section 1 of *The Schools Administration Act* shall not exceed a sum calculated at two mills in the dollar upon the total assessment of the taxable property of public school supporters in the school section according to the last revised assessment roll, and for further expenditures if such further expenditures are approved in the manner provided for approving debentures for permanent improvements.

R.S.O. 1960,
c. 361

(2) Clauses i and j of subsection 2 of the said section 74, as enacted by section 12 of *The Public Schools Amendment Act, 1962-63*, are repealed.

R.S.O. 1960,
c. 330, s. 74,
subs. 2,
cls. i, j
(1962-63,
c. 117, s. 12),
repealed

Commence-
ment

15.—(1) This Act, except section 13, comes into force on the day it receives Royal Assent.

Idem

(2) Section 13 shall be deemed to have come into force on the 1st day of January, 1967.

Short title

16. This Act may be cited as *The Public Schools Amendment Act, 1967*.

An Act to amend
The Public Schools Act

1st Reading

June 1st, 1967

2nd Reading

June 5th, 1967

3rd Reading

June 12th, 1967

MR. DAVIS

BILL 136

5TH SESSION, 27TH LEGISLATURE, ONTARIO
15-16 ELIZABETH II, 1967

An Act to amend The Secondary Schools and Boards of Education Act

MR. DAVIS

TORONTO

PRINTED AND PUBLISHED BY FRANK FOGG, QUEEN'S PRINTER

EXPLANATORY NOTES

SECTION 1—Subsection 1. The provision requiring prior approval by the Minister is deleted.

Subsection 2. The provision requiring prior approval by the Minister is deleted.

An Act to amend The Secondary Schools and Boards of Education Act

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1.—(1) Subsection 1 of section 12 of *The Secondary Schools and Boards of Education Act* is amended by striking out “first being obtained” in the first and second lines, so that the subsection shall read as follows: R.S.O. 1960,
c. 362, s. 12,
subs. 1,
amended

- (1) Subject to the approval of the Minister, the council of a county or the councils of two or more adjoining counties may by by-law establish the whole or any part of a municipality or the whole or parts of two or more adjoining municipalities situated within the county or counties as a new high school district, and the council of a county or the councils of two or more adjoining counties may in like manner discontinue any high school district already established within the county or counties and shall add the municipalities or parts of municipalities comprised in the district so discontinued to one or more other high school districts or include such municipalities or parts in one or more new high school districts. Establish-
ment and
discon-
tinuance of
districts

(2) Subsection 3 of the said section 12, as re-enacted by subsection 2 of section 2 of *The Secondary Schools and Boards of Education Amendment Act, 1965*, is amended by striking out “first being obtained” in the first and second lines, so that the subsection shall read as follows: R.S.O. 1960,
c. 362, s. 12,
subs. 3
(1965,
c. 119,
s. 2,
subs. 2),
amended

- (3) Subject to the approval of the Minister, the council of a municipality or the councils of two or more municipalities in a territorial district may pass by-laws establishing the whole or any part of the municipality or municipalities as a new high school district, and the council of a municipality or the councils of two or more municipalities in a territorial In territorial
districts

district may in like manner discontinue any high school district already established and shall add the municipalities or parts of municipalities comprised in the district so discontinued to one or more other high school districts or include such municipalities or parts in one or more new high school districts.

R.S.O. 1960,
c. 362, s. 20,
re-enacted

2. Section 20 of *The Secondary Schools and Boards of Education Act* is repealed and the following substituted therefor:

Time of
passing and
effective
date of
by-law

20. A by-law under section 11, subsection 1, 2, 3, 4 or 5 of section 12 or section 13 or 15 shall be passed on or before the 1st day of July in any year, and shall take effect on the 1st day of January next following its approval by the Minister or on such other date as is provided for in the by-law, which date may be the 1st day of January of the year in which the by-law is approved by the Minister.

R.S.O. 1960,
c. 362, s. 22,
amended

3.—(1) Section 22 of *The Secondary Schools and Boards of Education Act*, as amended by section 3 of *The Secondary Schools and Boards of Education Amendment Act, 1966*, is further amended by adding thereto the following subsections:

Where fewer
than five or
more than
nine trustees

(2a) Where the number of trustees determined under subsection 1 or 2 is fewer than five or more than nine, the Minister, on a request of a majority of the councils of the municipalities concerned, may determine the number of trustees to be appointed to the board, the municipality or municipalities to be represented by each trustee and their terms of office, and may provide for their appointment.

Interpre-
tation

(2b) The municipality or municipalities that have more than one-half of the assessment for secondary school purposes in the high school district, as shown by the last revised assessment roll, shall be deemed to be a majority for the purpose of subsection 2a.

R.S.O. 1960,
c. 362, s. 22,
subs. 5,
amended

(2) Subsection 5 of the said section 22 is amended by adding at the commencement thereof "Except where provided by a determination of the Minister under subsection 2a", so that the subsection shall read as follows:

Order of
retirement

(5) Except where provided by a determination of the Minister under subsection 2a, the council that has the power and duty of appointing high school trustees shall provide for the order of their retirement.

SECTION 2. The amendment provides that the effective date of the by-law is contingent upon the Minister's approval and not, as at present, upon the passing of the by-law and may be effective on the 1st day of January of the year in which the by-law is approved. This is complementary to the amendments to sections 12 and 51.

SECTION 3. The amendments provide for the appointment of a reasonable number of high school district trustees where numerous municipalities are involved.

SECTION 4. The amendment is complementary to the revision of section 20 dealing with the effective date of by-laws forming new high school districts.

SECTION 5. The amendment is to remove expenditures for "the acquisition of a bus, or other vehicle, used for the transportation of pupils" from the two-mill ceiling with respect to expenditures for permanent improvements that may be included in a board's estimates.

SECTION 6. The amendment deletes the "Minister's approval" in connection with the sale of high school property.

SECTION 7. The amendment provides for the appointment of co-ordinating officers by the board on the recommendation of the advisory vocational committee instead of by the committee.

4. Subsection 4 of section 29 of *The Secondary Schools and Boards of Education Act* is repealed and the following substituted therefor: R.S.O. 1960, c. 362, s. 29, subs. 4, re-enacted

- (4) Where an appointing body fails or is unable to Idem appoint a trustee as provided in subsection 2 or 3, it shall make the appointment at a subsequent meeting.

5. Clause *d* of subsection 1 of section 34 of *The Secondary Schools and Boards of Education Act*, as re-enacted by section 7 of *The Secondary Schools and Boards of Education Amendment Act, 1965*, is amended by striking out "v" in the fourth line, so that the clause shall read as follows: R.S.O. 1960, c. 362, s. 34 (1965, c. 119, s. 7), subs. 1, cl. d, amended

- (d) may provide for expenditures for permanent improvements, provided that the total of expenditures for permanent improvements referred to in subparagraphs i, ii, iii and vii of paragraph 25 of subsection 2 of section 1 of *The Schools Administration Act* shall not exceed a sum calculated at two mills in the dollar upon the total assessment of the high school district according to the last revised assessment roll, and for further expenditures if such further expenditures are approved in the manner provided for approving debentures for permanent improvements. R.S.O. 1960, c. 361

6. Subsection 2 of section 38 of *The Secondary Schools and Boards of Education Act* is amended by striking out "Subject to the approval of the Minister" in the first line, so that the subsection shall read as follows: R.S.O. 1960, c. 362, s. 38, subs. 2, amended

- (2) The board has power to sell, convey, transfer or lease such property, or any part thereof, or any property otherwise acquired by the board, upon the adoption of a resolution by the board that the property is no longer required for high school purposes, and the proceeds of such sale, transfer or lease shall be applied for high school purposes. Power to sell, lease, etc.

7. Subsection 5 of section 46 of *The Secondary Schools and Boards of Education Act* is repealed and the following substituted therefor: R.S.O. 1960, c. 362, s. 46, subs. 5, re-enacted

- (5) Subject to the approval of the Minister, the board, upon the recommendation of the committee, may appoint one or more officers with qualifications approved by the Minister to bring to the attention of employers and employees the work of the schools, Co-ordinating officers

and to make the necessary arrangements among employers, employees and the schools for the conduct of part-time or co-operative classes, and, in general, to act as a co-ordinating officer or officers between the local industries and the schools, and every person so appointed is subject to the control of the board.

R.S.O. 1960,
c. 362, s. 51,
subss. 1-3,
re-enacted

8.—(1) Subsections 1 and 2, and subsection 3, as amended by section 12 of *The Secondary Schools and Boards of Education Amendment Act, 1965*, of section 51 of *The Secondary Schools and Boards of Education Act* are repealed and the following substituted therefor:

Board in
district
comprising
one
municipality

- (1) Subject to the approval of the Minister, where a high school district does not extend beyond the limits of the municipality, the council of a city, town, village or township may pass a by-law establishing a board of education for the district.

Board in
district
comprising
more than
one
municipality

- (2) Subject to the approval of the Minister, where a high school district that includes two or more municipalities or parts thereof comprises the same area as one or more units of public school administration, the council of the county or the councils of the counties in which the high school district has been established,

(a) shall, upon receipt of a resolution from the council of each of the municipalities within the district declaring that it is expedient to form a board of education for the district, pass a by-law establishing a board of education for the district; and

(b) may, upon receipt of a resolution from a majority of the councils of the municipalities within the district declaring that it is expedient to form a board of education for the district, pass a by-law establishing a board of education for the district.

Board in
territorial
district

- (3) Subject to the approval of the Minister, where a high school district has been established by two or more municipalities in a territorial district, the councils of the municipalities may pass by-laws establishing a board of education for the high school district.

SECTION 8—Subsection 1. The provisions requiring prior approval of the Minister are deleted and the effective date of by-laws establishing boards of education is made contingent upon the Minister's approval rather than the passing of the by-laws. Subsection 2 is also amended to permit a county to form a board of education on the request of a majority of the municipalities concerned.

Subsection 2. The reference to a union board of education is obsolete and is, therefore, deleted.

Subsection 3. See note to subsection 1.

SECTION 9. The reference to a union board of education is obsolete and is, therefore, deleted.

SECTION 10. The new section provides for the election of a reasonable number of members to a board of education where numerous municipalities are involved.

(2) Subsection 5 of the said section 51 is amended by striking out "notwithstanding that a union board of education exists for the district, or" in the second and third lines, so that the subsection shall read as follows: R.S.O. 1960, c. 362, s. 51, subs. 5, amended

(5) A by-law establishing a board of education may be passed notwithstanding that the by-law or by-laws establishing the high school district have not come into effect in which case no high school board shall be organized. By-law although district not in effect

(3) The said section 51 is amended by adding thereto the following subsection: R.S.O. 1960, c. 362, s. 51, amended

(6) A by-law under subsection 1, 2 or 3 shall be passed on or before the 1st day of July in any year, and shall take effect on the 1st day of January next following its approval by the Minister, except that for the election of trustees it shall take effect on the day it is approved by the Minister. Time of passing and effective date of by-laws

9. Clause a of subsection 1 of section 52 of *The Secondary Schools and Boards of Education Act* is amended by striking out "and where a union board of education exists for the district, it is dissolved" in the second, third and fourth lines, so that the clause shall read as follows: R.S.O. 1960, c. 362, s. 52, subs. 1, cl. a, amended

(a) the high school board and all public school boards in the high school district are dissolved.

10. *The Secondary Schools and Boards of Education Act* is amended by adding thereto the following section: R.S.O. 1960, c. 362, amended

55a.—(1) Where, under subsection 1 or 2 of section 55, the number of members is fewer than five or more than nine, the Minister, on a request of a majority of the councils of the municipalities concerned, may determine the number of members to be elected to the board, the municipality or municipalities to be represented by each member and their terms of office. Where fewer than five or more than nine members

(2) The municipality or municipalities that have more than one-half of the assessment for public school purposes in the high school district, as shown by the last revised assessment roll, shall be deemed to be a majority for the purpose of subsection 1. Interpretation

(3) Where the Minister determines that two or more municipalities or any part or parts thereof shall be combined for the purposes of the election of one or Election where Minister determines representation

more members, such member or members shall be elected by the general vote of the persons qualified to vote for public school trustees in such combined area, and,

(a) the nominations for such members shall be conducted by the returning officer of the municipality having the greatest assessment for public school purposes in the combined area and shall be held at the same time and place as nominations for municipal councillors in that municipality;

(b) the election of such members shall take place in each municipality during the same hours and on the same day as the annual municipal elections in the municipality in which the nominations were held in the same manner as nearly as may be as the election of municipal councillors; and

(c) the clerk of each municipality shall be the returning officer for the vote to be recorded in his municipality and he shall report forthwith the vote recorded to the clerk of the municipality in which the nominations were held, who shall prepare the final summary and announcement of the vote and shall notify the board in writing of his determination.

County and
separate
school
appoint-
ments

(4) In addition to the members elected under this section, an additional member or members may be appointed as provided in subsection 4 of section 55.

R.S.O. 1960,
c. 362, s. 61,
re-enacted

11. Section 61 of *The Secondary Schools and Boards of Education Act* is repealed and the following substituted therefor:

Dissolution
of board,
question
submitted
to electors

61.—(1) Where at a meeting of a board of education called for the purpose a majority of the members of the board vote in favour of the dissolution of the board, a copy of the resolution shall be submitted forthwith to the council of each municipality in which the board has jurisdiction with the request that the question "Are you in favour of dissolution of the board of education?" be submitted to a vote of the electors of the municipality who are qualified to vote for the elective members of the board.

SECTION 11. Section 61, which provides for the dissolution of a board of education for one municipality, is revised to provide for the dissolution of a board of education where more than one municipality is concerned and where, by reason of the dissolution or alteration of a high school district or public school section, the boundaries are no longer coterminous.

- (2) The council shall at the next municipal election submit the question to a vote of the electors, and, if the question is answered in the affirmative by a majority of the electors voting thereon, the board of education is dissolved on the 31st day of December of the year in which the vote is taken and the elective members of the board of education who would have been members of the board if it had not been dissolved shall form the board of the public school section in which the board of education had jurisdiction until new trustees are elected in accordance with the provisions of this Act respecting the first election of such trustees and a new board is organized, and a board shall be established for the high school district in which the board of education had jurisdiction, and the provisions of Part II apply with respect to the appointment of high school trustees.
- Board dissolved upon affirmative vote, establishment of high school and public school boards
- (3) Where a board of education is dissolved under subsection 2, a high school board and a public school board shall be established for the area in which the board of education had jurisdiction; and the provisions of Part II and *The Public Schools Act* apply with respect to the appointment of high school trustees and the election of public school trustees respectively.
- High school and public school boards established R.S.O. 1960, c. 330
- (4) Upon the dissolution of a board of education under subsection 2, all the assets and liabilities of the board that are attributable to high school purposes and all the assets and liabilities of the board that are attributable to public school purposes become assets and liabilities of the high school board and the public school board established under subsection 3, as the case may be.
- Disposition of assets and liabilities
- (5) Where, by reason of the dissolution or alteration of a high school district or school section under the jurisdiction of a board of education, the boundaries of the high school district and school section are no longer coterminous, the board of education is dissolved and all the assets and liabilities of the board attributable to high school purposes and all the assets and liabilities of the board attributable to public school purposes become assets and liabilities of the high school board or boards and public school board or boards that have jurisdiction in all or part of the high school district or school section dissolved or enlarged, as the case may be.
- Dissolution of board where boundaries no longer coterminous, division of assets and liabilities

Dispute re
division
of assets
and
liabilities

- (6) In the event of a dispute as to the division of the assets and liabilities of a board of education between high school purposes and public school purposes, where only one municipality is concerned, the division shall be made by the council of the municipality, whose decision is final, and, where more than one municipality is concerned, the council of each municipality all or part of which was included in the high school district under the jurisdiction of the board of education shall appoint one arbitrator, and the arbitrators, together with the county judge, shall make such division, and the council or arbitrators, as the case may be, shall determine the amount of money, if any, to be paid by a board or municipality to any other board or municipality and the manner in which the payment, in each case, shall be made.

R.S.O. 1960,
c. 362, s. 65
(1964,
c. 106, s. 14),
subs. 1,
re-enacted;
subs. 2-5,
repealed

- 12.** Subsections 1, 2, 3, 4 and 5 of section 65 of *The Secondary Schools and Boards of Education Act*, as re-enacted by section 14 of *The Secondary Schools and Boards of Education Amendment Act, 1964*, are repealed and the following substituted therefor:

Declaring
schools
open

- (1) The board of a secondary school district may by resolution or by-law declare all or any of its schools open to the resident pupils of any secondary school district.

R.S.O. 1960,
c. 362, s. 68
(1964,
c. 106, s. 15),
subs. 2, cl. b,
repealed

- 13.—**(1) Clause *b* of subsection 2 of section 68 of *The Secondary Schools and Boards of Education Act*, as re-enacted by section 15 of *The Secondary Schools and Boards of Education Amendment Act, 1964*, is repealed.

R.S.O. 1960,
c. 362, s. 68
(1964,
c. 106, s. 15),
subs. 2, cl. c,
amended

- (2) Clause *c* of subsection 2 of the said section 68 is amended by striking out "under the re-organized programmes of study" in the first and second lines and by striking out "diversified" in the fifth line, so that the clause shall read as follows:

- (c) to take either the four-year or two-year programme of the business and commerce branch or of the science, technology and trades branch, or the occupational programme, if the programme is not available in the secondary school district in which he is resident.

R.S.O. 1960,
c. 362, s. 68
(1964,
c. 106, s. 15),
subs. 2, cl. d,
amended

- (3) Clause *d* of subsection 2 of the said section 68 is amended by striking out "under the re-organized programmes of study" in the first and second lines, so that the clause shall read as follows:

SECTION 12. The provisions authorizing boards to declare secondary schools open to resident pupils of other secondary school districts are revised and brought up to date.

SECTION 13—Subsections 1, 2, 3 and 4. The references to continuing and re-organized programmes of study are no longer appropriate as these are now part of the general programmes of study and are, therefore, deleted.

Subsection 5. The amendment is to remove the unnecessary restriction that a pupil, in order to attend another secondary school to obtain a programme that is not provided in the school that he has a right to attend, must remain within the county in which he is a resident pupil or an adjoining county.

Subsection 6. Subsection 6 is revised to refer to secondary schools in order to include pupils from continuation school districts as well as those from high school districts.

SECTION 14—Subsection 1. Subsection 1 is revised to make it clear that the county secondary school consultative committee shall be composed of three members appointed by the county council with the public school inspector as the secretary and adviser and the district secondary school inspector as adviser.

- (d) to take a course of study in either the four-year programme of the business and commerce branch or the four-year programme of the science, technology and trades branch, leading to a type of secondary school graduation diploma that is not available in the secondary school district in which he is resident.

(4) Clause *e* of subsection 2 of the said section 68 is amended by striking out "under the continuing programmes of study or the re-organized programmes of study" in the first, second and third lines, so that the clause shall read as follows:

R.S.O. 1960,
c. 362, s. 68
(1964,
c. 106, s. 15),
subs. 2, cl. *e*,
amended

- (e) to take a special one-year course in business, commercial work, technical subjects, home economics or vocational art, leading to a secondary school graduation diploma in the special field, if the course is not available in the secondary school district in which he is resident.

(5) Subsection 3 of the said section 68 is repealed and the following substituted therefor:

R.S.O. 1960,
c. 362, s. 68
(1964,
c. 106, s. 15),
subs. 3,
re-enacted

- (3) Subsection 2 applies to a resident pupil of a secondary school district in a county only if,

Restrictions

- (a) the school has been declared open to such a pupil; and
- (b) the inspector of the school certifies that there is adequate accommodation for the pupil in the school.

(6) Subsection 6 of the said section 68 is repealed and the following substituted therefor:

R.S.O. 1960,
c. 362, s. 68
(1964,
c. 106, s. 15),
subs. 6,
re-enacted

- (6) Clauses *c*, *d*, *e*, *f* and *g* of subsection 2 do not apply to a resident pupil of a secondary school district if the board of the secondary school district has entered into an agreement with another secondary school board under subsection 2 of section 30 or under section 66 and the courses and subjects referred to in such clauses are offered in the schools covered by the agreement.

Where
agreement
between
boards

14.—(1) Subsection 1 of section 76 of *The Secondary Schools and Boards of Education Act*, as amended by subsection 1 of section 10 of *The Secondary Schools and Boards of Education Amendment Act, 1966*, is repealed and the following substituted therefor:

R.S.O. 1960,
c. 362, s. 76,
subs. 1,
re-enacted

Secondary
school
consultative
committee

- (1) The council of a county may establish a secondary school consultative committee of three persons appointed by the council, and a public school inspector, designated by the Minister, shall be secretary of and adviser to the committee, and the district secondary school inspector shall be an adviser to the committee, but the inspectors are not entitled to vote as members of the committee.

R.S.O. 1960,
c. 362, s. 76,
amended

- (2) The said section 76 is amended by adding thereto the following subsection:

Expenses

- (6) A county may reimburse the members of the committee for their actual expenses incurred on business of the committee.

R.S.O. 1960,
c. 362, s. 77,
subs. 1,
re-enacted

- 15.**—(1) Subsection 1 of section 77 of *The Secondary Schools and Boards of Education Act* is repealed and the following substituted therefor:

Consulta-
tive com-
mittee in
territorial
district

- (1) The Minister may establish in a territorial district one or more secondary school consultative committees which, subject to subsection 2, shall be composed of three persons appointed by the Minister, and a public school inspector, designated by the Minister, shall be secretary of and adviser to the committee, and the district secondary school inspector shall be an adviser to the committee, but the inspectors are not entitled to vote as members of the committee.

R.S.O. 1960,
c. 362, s. 77,
subs. 6, 7,
re-enacted

- (2) Subsections 6 and 7 of the said section 77 are repealed and the following substituted therefor:

Expenses

- (6) The actual expenses incurred on business of the committee by members of the committee appointed by the Minister shall be paid out of such moneys as may be appropriated therefor by the Legislature.

Idem

- (7) The actual expenses incurred on business of the committee by a member of the committee appointed by the council of a municipality shall be paid by the municipality.

R.S.O. 1960,
c. 362,
amended

- 16.** *The Secondary Schools and Boards of Education Act* is amended by adding thereto the following section:

Application
of
R.S.O. 1960,
c. 330,
ss. 78, 81

80. Sections 78 and 81 of *The Public Schools Act* apply *mutatis mutandis* to a by-law of a municipality or county for forming, altering or dissolving a high

Subsection 2. The new subsection 6 provides for the payment to secondary school consultative committee members of their actual expenses incurred on business of the committee.

SECTION 15—Subsection 1. The provision is revised to make it clear that the district secondary school consultative committee shall be composed of three members, with the public school inspector as the secretary and adviser and the district secondary school inspector as adviser.

Subsection 2. The amendments provide for the payment of the actual expenses of members incurred on business of the committee, rather than only travelling expenses.

SECTION 16. The provisions of *The Public Schools Act* respecting the validity of by-laws for forming, altering or dissolving school sections and awards in relation thereto are made applicable to by-laws and awards respecting high school districts and boards of education.

school district or establishing a board of education and an award made by arbitrators in relation thereto.

17.—(1) This Act, except sections 1 and 2, comes into ^{Commence-}ment
force on the day it receives Royal Assent.

(2) Sections 1 and 2 shall be deemed to have come into ^{Idem}
force on the 1st day of January, 1967.

18. This Act may be cited as *The Secondary Schools and* ^{Short title}
Boards of Education Amendment Act, 1967.

An Act to amend
The Secondary Schools and Boards
of Education Act

1st Reading

June 1st, 1967

2nd Reading

3rd Reading

MR. DAVIS

BILL 136

**5TH SESSION, 27TH LEGISLATURE, ONTARIO
15-16 ELIZABETH II, 1967**

An Act to amend The Secondary Schools and Boards of Education Act

MR. DAVIS

TORONTO

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BILL 136

1967

An Act to amend The Secondary Schools and Boards of Education Act

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1.—(1) Subsection 1 of section 12 of *The Secondary Schools and Boards of Education Act* is amended by striking out "first being obtained" in the first and second lines, so that the subsection shall read as follows: R.S.O. 1960,
c. 362, s. 12,
subs. 1,
amended

- (1) Subject to the approval of the Minister, the council of a county or the councils of two or more adjoining counties may by by-law establish the whole or any part of a municipality or the whole or parts of two or more adjoining municipalities situated within the county or counties as a new high school district, and the council of a county or the councils of two or more adjoining counties may in like manner discontinue any high school district already established within the county or counties and shall add the municipalities or parts of municipalities comprised in the district so discontinued to one or more other high school districts or include such municipalities or parts in one or more new high school districts. Establish-
ment and
discon-
tinuance of
districts

(2) Subsection 3 of the said section 12, as re-enacted by subsection 2 of section 2 of *The Secondary Schools and Boards of Education Amendment Act, 1965*, is amended by striking out "first being obtained" in the first and second lines, so that the subsection shall read as follows: R.S.O. 1960,
c. 362, s. 12,
subs. 3
(1965,
c. 119,
s. 2,
subs. 2),
amended

- (3) Subject to the approval of the Minister, the council of a municipality or the councils of two or more municipalities in a territorial district may pass by-laws establishing the whole or any part of the municipality or municipalities as a new high school district, and the council of a municipality or the councils of two or more municipalities in a territorial In territorial
districts

district may in like manner discontinue any high school district already established and shall add the municipalities or parts of municipalities comprised in the district so discontinued to one or more other high school districts or include such municipalities or parts in one or more new high school districts.

R.S.O. 1960,
c. 362, s. 20,
re-enacted

2. Section 20 of *The Secondary Schools and Boards of Education Act* is repealed and the following substituted therefor:

Time of
passing and
effective
date of
by-law

20. A by-law under section 11, subsection 1, 2, 3, 4 or 5 of section 12 or section 13 or 15 shall be passed on or before the 1st day of July in any year, and shall take effect on the 1st day of January next following its approval by the Minister or on such other date as is provided for in the by-law, which date may be the 1st day of January of the year in which the by-law is approved by the Minister.

R.S.O. 1960,
c. 362, s. 22,
amended

3.—(1) Section 22 of *The Secondary Schools and Boards of Education Act*, as amended by section 3 of *The Secondary Schools and Boards of Education Amendment Act, 1966*, is further amended by adding thereto the following subsections:

Where fewer
than five or
more than
nine trustees

(2a) Where the number of trustees determined under subsection 1 or 2 is fewer than five or more than nine, the Minister, on a request of a majority of the councils of the municipalities concerned, may determine the number of trustees to be appointed to the board, the municipality or municipalities to be represented by each trustee and their terms of office, and may provide for their appointment.

Interpre-
tation

(2b) The municipality or municipalities that have more than one-half of the assessment for secondary school purposes in the high school district, as shown by the last revised assessment roll, shall be deemed to be a majority for the purpose of subsection 2a.

R.S.O. 1960,
c. 362, s. 22,
subs. 5,
amended

(2) Subsection 5 of the said section 22 is amended by adding at the commencement thereof "Except where provided by a determination of the Minister under subsection 2a", so that the subsection shall read as follows:

Order of
retirement

(5) Except where provided by a determination of the Minister under subsection 2a, the council that has the power and duty of appointing high school trustees shall provide for the order of their retirement.

4. Subsection 4 of section 29 of *The Secondary Schools and Boards of Education Act* is repealed and the following substituted therefor: R.S.O. 1960,
c. 362, s. 29,
subs. 4,
re-enacted

- (4) Where an appointing body fails or is unable to ^{Idem} appoint a trustee as provided in subsection 2 or 3, it shall make the appointment at a subsequent meeting.

5. Clause *d* of subsection 1 of section 34 of *The Secondary Schools and Boards of Education Act*, as re-enacted by section 7 of *The Secondary Schools and Boards of Education Amendment Act, 1965*, is amended by striking out "v" in the fourth line, so that the clause shall read as follows: R.S.O. 1960,
c. 362, s. 34
(1965,
c. 119,
s. 7), subs. 1,
cl. d,
amended

- (d) may provide for expenditures for permanent improvements, provided that the total of expenditures for permanent improvements referred to in subparagraphs i, ii, iii and vii of paragraph 25 of subsection 2 of section 1 of *The Schools Administration Act* shall not exceed a sum calculated at two mills in the dollar upon the total assessment of the high school district according to the last revised assessment roll, and for further expenditures if such further expenditures are approved in the manner provided for approving debentures for permanent improvements. R.S.O. 1960,
c. 361

6. Subsection 2 of section 38 of *The Secondary Schools and Boards of Education Act* is amended by striking out "Subject to the approval of the Minister" in the first line, so that the subsection shall read as follows: R.S.O. 1960,
c. 362, s. 38,
subs. 2,
amended

- (2) The board has power to sell, convey, transfer or lease such property, or any part thereof, or any property otherwise acquired by the board, upon the adoption of a resolution by the board that the property is no longer required for high school purposes, and the proceeds of such sale, transfer or lease shall be applied for high school purposes. Power to
sell, lease,
etc.

7. Subsection 5 of section 46 of *The Secondary Schools and Boards of Education Act* is repealed and the following substituted therefor: R.S.O. 1960,
c. 362, s. 46,
subs. 5,
re-enacted

- (5) Subject to the approval of the Minister, the board, upon the recommendation of the committee, may appoint one or more officers with qualifications approved by the Minister to bring to the attention of employers and employees the work of the schools, Co-
ordinating
officers

and to make the necessary arrangements among employers, employees and the schools for the conduct of part-time or co-operative classes, and, in general, to act as a co-ordinating officer or officers between the local industries and the schools, and every person so appointed is subject to the control of the board.

R.S.O. 1960,
c. 362, s. 51,
subss. 1-3,
re-enacted

8.—(1) Subsections 1 and 2, and subsection 3, as amended by section 12 of *The Secondary Schools and Boards of Education Amendment Act, 1965*, of section 51 of *The Secondary Schools and Boards of Education Act* are repealed and the following substituted therefor:

Board in
district
comprising
one
municipality

- (1) Subject to the approval of the Minister, where a high school district does not extend beyond the limits of the municipality, the council of a city, town, village or township may pass a by-law establishing a board of education for the district.

Board in
district
comprising
more than
one
municipality

- (2) Subject to the approval of the Minister, where a high school district that includes two or more municipalities or parts thereof comprises the same area as one or more units of public school administration, the council of the county or the councils of the counties in which the high school district has been established,

(a) shall, upon receipt of a resolution from the council of each of the municipalities within the district declaring that it is expedient to form a board of education for the district, pass a by-law establishing a board of education for the district; and

(b) may, upon receipt of a resolution from a majority of the councils of the municipalities within the district declaring that it is expedient to form a board of education for the district, pass a by-law establishing a board of education for the district.

Board in
territorial
district

- (3) Subject to the approval of the Minister, where a high school district has been established by two or more municipalities in a territorial district, the councils of the municipalities may pass by-laws establishing a board of education for the high school district.

(2) Subsection 5 of the said section 51 is amended by striking out "notwithstanding that a union board of education exists for the district, or" in the second and third lines, so that the subsection shall read as follows:

R.S.O. 1960,
c. 362, s. 51,
subs. 5,
amended

(5) A by-law establishing a board of education may be passed notwithstanding that the by-law or by-laws establishing the high school district have not come into effect in which case no high school board shall be organized.

By-law
although
district
not in
effect

(3) The said section 51 is amended by adding thereto the following subsection:

R.S.O. 1960,
c. 362, s. 51,
amended

(6) A by-law under subsection 1, 2 or 3 shall be passed on or before the 1st day of July in any year, and shall take effect on the 1st day of January next following its approval by the Minister, except that for the election of trustees it shall take effect on the day it is approved by the Minister.

Time of
passing and
effective
date of
by-laws

9. Clause *a* of subsection 1 of section 52 of *The Secondary Schools and Boards of Education Act* is amended by striking out "and where a union board of education exists for the district, it is dissolved" in the second, third and fourth lines, so that the clause shall read as follows:

R.S.O. 1960,
c. 362, s. 52,
subs. 1,
cl. a,
amended

(a) the high school board and all public school boards in the high school district are dissolved.

10. *The Secondary Schools and Boards of Education Act* is amended by adding thereto the following section:

R.S.O. 1960,
c. 362,
amended

55a.—(1) Where, under subsection 1 or 2 of section 55, the number of members is fewer than five or more than nine, the Minister, on a request of a majority of the councils of the municipalities concerned, may determine the number of members to be elected to the board, the municipality or municipalities to be represented by each member and their terms of office.

Where
fewer than
five or more
than nine
members

(2) The municipality or municipalities that have more than one-half of the assessment for public school purposes in the high school district, as shown by the last revised assessment roll, shall be deemed to be a majority for the purpose of subsection 1.

Interpre-
tation

(3) Where the Minister determines that two or more municipalities or any part or parts thereof shall be combined for the purposes of the election of one or

Election
where
Minister
determines
representa-
tion

more members, such member or members shall be elected by the general vote of the persons qualified to vote for public school trustees in such combined area, and,

(a) the nominations for such members shall be conducted by the returning officer of the municipality having the greatest assessment for public school purposes in the combined area and shall be held at the same time and place as nominations for municipal councillors in that municipality;

(b) the election of such members shall take place in each municipality during the same hours and on the same day as the annual municipal elections in the municipality in which the nominations were held in the same manner as nearly as may be as the election of municipal councillors; and

(c) the clerk of each municipality shall be the returning officer for the vote to be recorded in his municipality and he shall report forthwith the vote recorded to the clerk of the municipality in which the nominations were held, who shall prepare the final summary and announcement of the vote and shall notify the board in writing of his determination.

County and
separate
school
appoint-
ments

(4) In addition to the members elected under this section, an additional member or members may be appointed as provided in subsection 4 of section 55.

R.S.O. 1960,
c. 362, s. 61,
re-enacted

11. Section 61 of *The Secondary Schools and Boards of Education Act* is repealed and the following substituted therefor:

Dissolution
of board,
question
submitted
to electors

61.—(1) Where at a meeting of a board of education called for the purpose a majority of the members of the board vote in favour of the dissolution of the board, a copy of the resolution shall be submitted forthwith to the council of each municipality in which the board has jurisdiction with the request that the question "Are you in favour of dissolution of the board of education?" be submitted to a vote of the electors of the municipality who are qualified to vote for the elective members of the board.

- (2) The council shall at the next municipal election submit the question to a vote of the electors, and, if the question is answered in the affirmative by a majority of the electors voting thereon, the board of education is dissolved on the 31st day of December of the year in which the vote is taken and the elective members of the board of education who would have been members of the board if it had not been dissolved shall form the board of the public school section in which the board of education had jurisdiction until new trustees are elected in accordance with the provisions of this Act respecting the first election of such trustees and a new board is organized, and a board shall be established for the high school district in which the board of education had jurisdiction, and the provisions of Part II apply with respect to the appointment of high school trustees. Board dissolved upon affirmative vote, establishment of high school and public school boards
- (3) Where a board of education is dissolved under subsection 2, a high school board and a public school board shall be established for the area in which the board of education had jurisdiction, and the provisions of Part II and *The Public Schools Act* apply with respect to the appointment of high school trustees and the election of public school trustees respectively. High school and public school boards established
R.S.O. 1960, c. 330
- (4) Upon the dissolution of a board of education under subsection 2, all the assets and liabilities of the board that are attributable to high school purposes and all the assets and liabilities of the board that are attributable to public school purposes become assets and liabilities of the high school board and the public school board established under subsection 3, as the case may be. Disposition of assets and liabilities
- (5) Where, by reason of the dissolution or alteration of a high school district or school section under the jurisdiction of a board of education, the boundaries of the high school district and school section are no longer coterminous, the board of education is dissolved and all the assets and liabilities of the board attributable to high school purposes and all the assets and liabilities of the board attributable to public school purposes become assets and liabilities of the high school board or boards and public school board or boards that have jurisdiction in all or part of the high school district or school section dissolved or enlarged, as the case may be. Dissolution of board where boundaries no longer coterminous, division of assets and liabilities

Dispute re
division
of assets
and
liabilities

- (6) In the event of a dispute as to the division of the assets and liabilities of a board of education between high school purposes and public school purposes, where only one municipality is concerned, the division shall be made by the council of the municipality, whose decision is final, and, where more than one municipality is concerned, the council of each municipality all or part of which was included in the high school district under the jurisdiction of the board of education shall appoint one arbitrator, and the arbitrators, together with the county judge, shall make such division, and the council or arbitrators, as the case may be, shall determine the amount of money, if any, to be paid by a board or municipality to any other board or municipality and the manner in which the payment, in each case, shall be made.

R.S.O. 1960,
c. 362, s. 65
(1964,
c. 106, s. 14),
subs. 1,
re-enacted;
subss. 2-5,
repealed

- 12.** Subsections 1, 2, 3, 4 and 5 of section 65 of *The Secondary Schools and Boards of Education Act*, as re-enacted by section 14 of *The Secondary Schools and Boards of Education Amendment Act, 1964*, are repealed and the following substituted therefor:

Declaring
schools
open

- (1) The board of a secondary school district may by resolution or by-law declare all or any of its schools open to the resident pupils of any secondary school district.

R.S.O. 1960,
c. 362, s. 68
(1964,
c. 106, s. 15),
subs. 2, cl. b,
repealed

- 13.—(1)** Clause *b* of subsection 2 of section 68 of *The Secondary Schools and Boards of Education Act*, as re-enacted by section 15 of *The Secondary Schools and Boards of Education Amendment Act, 1964*, is repealed.

R.S.O. 1960,
c. 362, s. 68
(1964,
c. 106, s. 15),
subs. 2, cl. c,
amended

- (2) Clause *c* of subsection 2 of the said section 68 is amended by striking out "under the re-organized programmes of study" in the first and second lines and by striking out "diversified" in the fifth line, so that the clause shall read as follows:

- (c) to take either the four-year or two-year programme of the business and commerce branch or of the science, technology and trades branch, or the occupational programme, if the programme is not available in the secondary school district in which he is resident.

R.S.O. 1960,
c. 362, s. 68
(1964,
c. 106, s. 15),
subs. 2, cl. d,
amended

- (3) Clause *d* of subsection 2 of the said section 68 is amended by striking out "under the re-organized programmes of study" in the first and second lines, so that the clause shall read as follows:

- (d) to take a course of study in either the four-year programme of the business and commerce branch or the four-year programme of the science, technology and trades branch, leading to a type of secondary school graduation diploma that is not available in the secondary school district in which he is resident.

(4) Clause *e* of subsection 2 of the said section 68 is amended by striking out "under the continuing programmes of study or the re-organized programmes of study" in the first, second and third lines, so that the clause shall read as follows:

R.S.O. 1960,
c. 362, s. 68
(1964,
c. 106, s. 15),
subs. 2, cl. *e*,
amended

- (e) to take a special one-year course in business, commercial work, technical subjects, home economics or vocational art, leading to a secondary school graduation diploma in the special field, if the course is not available in the secondary school district in which he is resident.

(5) Subsection 3 of the said section 68 is repealed and the following substituted therefor:

R.S.O. 1960,
c. 362, s. 68
(1964,
c. 106, s. 15),
subs. 3,
re-enacted

- (3) Subsection 2 applies to a resident pupil of a secondary school district in a county only if,

Restrictions

- (a) the school has been declared open to such a pupil; and

- (b) the inspector of the school certifies that there is adequate accommodation for the pupil in the school.

(6) Subsection 6 of the said section 68 is repealed and the following substituted therefor:

R.S.O. 1960,
c. 362, s. 68
(1964,
c. 106, s. 15),
subs. 6,
re-enacted

- (6) Clauses *c*, *d*, *e*, *f* and *g* of subsection 2 do not apply to a resident pupil of a secondary school district if the board of the secondary school district has entered into an agreement with another secondary school board under subsection 2 of section 30 or under section 66 and the courses and subjects referred to in such clauses are offered in the schools covered by the agreement.

Where
agreement
between
boards

14.—(1) Subsection 1 of section 76 of *The Secondary Schools and Boards of Education Act*, as amended by subsection 1 of section 10 of *The Secondary Schools and Boards of Education Amendment Act, 1966*, is repealed and the following substituted therefor:

R.S.O. 1960,
c. 362, s. 76,
subs. 1,
re-enacted

Secondary
school
consultative
committee

- (1) The council of a county may establish a secondary school consultative committee of three persons appointed by the council, and a public school inspector, designated by the Minister, shall be secretary of and adviser to the committee, and the district secondary school inspector shall be an adviser to the committee, but the inspectors are not entitled to vote as members of the committee.

R.S.O. 1960,
c. 362, s. 76,
amended

- (2) The said section 76 is amended by adding thereto the following subsection:

Expenses

- (6) A county may reimburse the members of the committee for their actual expenses incurred on business of the committee.

R.S.O. 1960,
c. 362, s. 77,
subs. 1,
re-enacted

- 15.**—(1) Subsection 1 of section 77 of *The Secondary Schools and Boards of Education Act* is repealed and the following substituted therefor:

Consulta-
tive com-
mittee in
territorial
district

- (1) The Minister may establish in a territorial district one or more secondary school consultative committees which, subject to subsection 2, shall be composed of three persons appointed by the Minister, and a public school inspector, designated by the Minister, shall be secretary of and adviser to the committee, and the district secondary school inspector shall be an adviser to the committee, but the inspectors are not entitled to vote as members of the committee.

R.S.O. 1960,
c. 362, s. 77,
subss. 6, 7,
re-enacted

- (2) Subsections 6 and 7 of the said section 77 are repealed and the following substituted therefor:

Expenses

- (6) The actual expenses incurred on business of the committee by members of the committee appointed by the Minister shall be paid out of such moneys as may be appropriated therefor by the Legislature.

Idem

- (7) The actual expenses incurred on business of the committee by a member of the committee appointed by the council of a municipality shall be paid by the municipality.

R.S.O. 1960,
c. 362,
amended

- 16.** *The Secondary Schools and Boards of Education Act* is amended by adding thereto the following section:

Application
of
R.S.O. 1960,
c. 330,
ss. 78, 81

80. Sections 78 and 81 of *The Public Schools Act* apply *mutatis mutandis* to a by-law of a municipality or county for forming, altering or dissolving a high

school district or establishing a board of education and an award made by arbitrators in relation thereto.

17.—(1) This Act, except sections 1 and 2, comes into ^{Commence-}_{ment} force on the day it receives Royal Assent.

(2) Sections 1 and 2 shall be deemed to have come into ^{Idem} force on the 1st day of January, 1967.

18. This Act may be cited as *The Secondary Schools and* ^{Short title} *Boards of Education Amendment Act, 1967.*

An Act to amend
The Secondary Schools and Boards
of Education Act

1st Reading

June 1st, 1967

2nd Reading

June 5th, 1967

3rd Reading

June 12th, 1967

MR. DAVIS

BILL 137

**5TH SESSION, 27TH LEGISLATURE, ONTARIO
15-16 ELIZABETH II, 1967**

An Act to amend The Schools Administration Act

MR. DAVIS

TORONTO

PRINTED AND PUBLISHED BY FRANK FOGG, QUEEN'S PRINTER

EXPLANATORY NOTES

SECTION 1—Subsection 1. The definition of population is re-enacted for clarification and to delete the reference to county.

Subsection 2. The definition of rural school section is revised to make it clear that the definition does not include a district or township school area in unorganized territory as these are considered as larger urban units of administration.

SECTION 2. The appropriate amendments are made to change the designation of attendance officer to attendance counsellor.

BILL 137

1967

An Act to amend The Schools Administration Act

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1.—(1) Paragraph 26a of subsection 2 of section 1 of *The Schools Administration Act*, as enacted by section 1 of *The Schools Administration Amendment Act, 1964*, is repealed and the following substituted therefor:

R.S.O. 1960,
c. 361, s. 1,
subs. 2,
par. 26a
(1964,
c. 105, s. 1),
re-enacted

26a. "population" of a municipality or a portion thereof means the population determined by reference to the last municipal census of the municipality, less the number of inmates in public institutions in the municipality or the portion thereof, as certified by the clerk of the municipality.

(2) Paragraph 32 of subsection 2 of the said section 1, as re-enacted by subsection 2 of section 1 of *The Schools Administration Amendment Act, 1966*, is repealed and the following substituted therefor:

R.S.O. 1960,
c. 361, s. 1,
subs. 2,
par. 32
(1966,
c. 140, s. 1,
subs. 2),
re-enacted

32. "rural school section" means a school section, other than an enlarged administrative area, that comprises only territory without municipal organization.

2.—(1) Subsection 1 of section 7 of *The Schools Administration Act* is amended by striking out "officer" in the third line and inserting in lieu thereof "counsellor".

R.S.O. 1960,
c. 361, s. 7,
subs. 1,
amended

(2) Subsection 3 of the said section 7 is amended by striking out "officer" in the fourth line and inserting in lieu thereof "counsellor".

R.S.O. 1960,
c. 361, s. 7,
subs. 3,
amended

(3) Subsection 4 of the said section 7 is amended by striking out "officer" in the first line and in the second line and inserting in lieu thereof in each instance "counsellor".

R.S.O. 1960,
c. 361, s. 7,
subs. 4,
amended

R.S.O. 1960,
c. 361,
ss. 8, 9,
re-enacted

3. Section 8 and section 9, as amended by section 1 of *The Schools Administration Amendment Act, 1962-63*, of *The Schools Administration Act* are repealed and the following substituted therefor:

Appoint-
ment of
school
attendance
counsellors

8.—(1) Every board shall appoint one or more school attendance counsellors.

Idem

(2) Two or more boards may appoint the same school attendance counsellor or counsellors.

Vacancies

(3) Where the office of a school attendance counsellor becomes vacant, it shall be filled forthwith by the appointing body.

Notice of
appoint-
ment

(4) Notice of the appointment of a school attendance counsellor shall be given in writing by the board to the provincial school attendance counsellor and to the school inspectors concerned.

Jurisdiction
and re-
sponsibility
of
counsellors,
of public
schools

9.—(1) A school attendance counsellor appointed by a public school board has jurisdiction and is responsible for the enforcement of compulsory school attendance in respect of all children who are of compulsory school age in the area in which the board that appointed him has jurisdiction or who are not resident pupils of the public school section but are or have been enrolled during the current school year in a public school operated by the board, except children who are subject to the jurisdiction of a school attendance counsellor appointed by a secondary or separate school board.

of separate
schools

(2) A school attendance counsellor appointed by a separate school board has jurisdiction and is responsible for the enforcement of compulsory school attendance in respect of all children who are of compulsory school age and whose parents or guardians are supporters of a school operated by the board or who are not resident pupils of the separate school zone but are or have been enrolled during the current school year in a separate school operated by the board, except children who are subject to the jurisdiction of a school attendance counsellor appointed by a secondary school board.

of secondary
schools

(3) A school attendance counsellor appointed by a secondary school board has jurisdiction and is responsible for the enforcement of compulsory school attendance in respect of all children of compulsory

SECTION 3. Sections 8 and 9 are revised and brought up to date and the appropriate amendments are made to change the designation of attendance officer to attendance counsellor.

SECTION 4. The appropriate amendments are made to change the designation of attendance officer to attendance counsellor.

SECTION 5. The appropriate amendments are made to change the designation of attendance officer to attendance counsellor.

school age who are resident pupils of the secondary school district or who are not resident pupils of a secondary school district but are or have been enrolled during the current school year in a secondary school operated by the board.

- (4) A school attendance counsellor appointed by a ^{of boards of education} board of education has jurisdiction and is responsible for the enforcement of compulsory school attendance in respect of all children who are of compulsory school age in the area in which the board has jurisdiction or who are not resident pupils of the public school section or high school district but are or have been enrolled during the current school year in a public or secondary school operated by the board, except children who are subject to the jurisdiction of a school attendance counsellor appointed by a separate school board.

4.—(1) Subsection 1 of section 10 of *The Schools Administration Act* is amended by striking out "officer" in the first line and inserting in lieu thereof "counsellor". R.S.O. 1960,
c. 361, s. 10,
subs. 1,
amended

(2) Subsection 2 of the said section 10 is amended by striking out "officer" in the first line and in the third line and inserting in lieu thereof in each instance "counsellor". R.S.O. 1960,
c. 361, s. 10,
subs. 2,
amended

(3) Subsection 3 of the said section 10 is amended by striking out "officer" in the first line and in the fourth line and inserting in lieu thereof in each instance "counsellor". R.S.O. 1960,
c. 361, s. 10,
subs. 3,
amended

(4) Subsection 4 of the said section 10 is amended by striking out "officer" in the first line and inserting in lieu thereof "counsellor". R.S.O. 1960,
c. 361, s. 10,
subs. 4,
amended

5.—(1) Clause *a* of subsection 1 of section 12 of *The Schools Administration Act* is amended by striking out "officer" in the second line and inserting in lieu thereof "counsellor". R.S.O. 1960,
c. 361, s. 12,
subs. 1,
cl. a,
amended

(2) Clause *b* of subsection 1 of the said section 12 is amended by striking out "officer" in the first line and in the second line and inserting in lieu thereof in each instance "counsellor". R.S.O. 1960,
c. 361, s. 12,
subs. 1,
cl. b,
amended

(3) Clause *c* of subsection 1 of the said section 12 is amended by striking out "officer" in the first line and inserting in lieu thereof "counsellor". R.S.O. 1960,
c. 361, s. 12,
subs. 1,
cl. c,
amended

(4) Subsection 2 of the said section 12 is amended by striking out "officer" in the second line and inserting in lieu thereof "counsellor". R.S.O. 1960,
c. 361, s. 12,
subs. 2,
amended

R.S.O. 1960,
c. 361, s. 13,
subs. 1,
amended

6.—(1) Subsection 1 of section 13 of *The Schools Administration Act* is amended by striking out “officer” in the second line and in the eleventh line and inserting in lieu thereof in each instance “counsellor”.

R.S.O. 1960,
c. 361, s. 13,
subs. 2,
amended

(2) Subsection 2 of the said section 13 is amended by striking out “officer” in the first line and in the ninth line and inserting in lieu thereof in each instance “counsellor”.

R.S.O. 1960,
c. 361, s. 13,
subs. 3,
amended

(3) Subsection 3 of the said section 13 is amended by striking out “officer” in the first line and inserting in lieu thereof “counsellor”.

R.S.O. 1960,
c. 361, s. 14,
amended

7. Section 14 of *The Schools Administration Act* is amended by striking out “officer” in the tenth line and in the nineteenth line and inserting in lieu thereof in each instance “counsellor”.

R.S.O. 1960,
c. 361, s. 16,
subs. 1,
amended

8. Subsection 1 of section 16 of *The Schools Administration Act* is amended by striking out “officer” in the second line and inserting in lieu thereof “counsellor”.

R.S.O. 1960,
c. 361, s. 35,
par. 15,
re-enacted

9.—(1) Paragraph 15 of section 35 of *The Schools Administration Act* is repealed and the following substituted therefor:

legal costs

15. pay the costs, or any part thereof, incurred by any member of the board or by any teacher, officer or other employee of the board in successfully defending any legal proceeding brought against him,

i. for libel or slander in respect of any statements relating to the employment, suspension or dismissal of any person by the board published at a meeting of the board or of a committee thereof, or

ii. for assault in respect of disciplinary action taken in the course of duty.

R.S.O. 1960,
c. 361, s. 35,
par. 21,
amended

(2) Paragraph 21 of the said section 35 is amended by inserting after “premises” in the first line “and school buses owned by the board”, so that the paragraph shall read as follows:

permit use
of school
premises,
etc.

21. permit the school buildings and premises and school buses owned by the board to be used for any educational or other lawful purposes that it deems proper, provided the proper conduct of the school is not interfered with.

SECTION 6. The appropriate amendments are made to change the designation of attendance officer to attendance counsellor.

SECTION 7. The appropriate amendments are made to change the designation of attendance officer to attendance counsellor.

SECTION 8. The appropriate amendment is made to change the designation of attendance officer to attendance counsellor.

SECTION 9—Subsection 1. Subclause ii is new and is to permit a board, at its discretion, to assume all or part of the legal costs incurred on behalf of a teacher or other employee who successfully defends himself in any proceedings in connection with a claim or charge of assault brought against him as a result of carrying out disciplinary action at school.

Subsection 2. The amendment is to permit a board to use its buses as it deems proper provided that the initial purpose of transporting its pupils is not interfered with.

Subsection 3. Paragraph 27a authorizes boards to conduct winter courses for teachers.

Paragraph 37 is complementary to the repeal of Part V with respect to Auxiliary Classes and the provision for special education classes as an integral part of the whole education programme.

Paragraph 38 provides that the operation of a cerebral palsy treatment centre school or a crippled children's treatment centre school may be assumed by another board.

SECTION 10. The Ontario Curriculum Institute is now merged with The Ontario Institute for Studies in Education. The section, authorizing a board to make grants to the Ontario Curriculum Institute is therefore repealed.

The provisions of the new section 35a are transferred from section 62 of *The Public Schools Act* and made to apply to all boards in territory without municipal organization.

SECTION 11. The provisions in subsections 1 and 2 as revised are transferred from *The Public Schools Act* and made applicable to all school boards.

(3) The said section 35, as amended by section 2 of *The Schools Administration Amendment Act, 1960-61*, section 2 of *The Schools Administration Amendment Act, 1962-63*, section 7 of *The Schools Administration Amendment Act, 1964* and section 4 of *The Schools Administration Amendment Act, 1965*, is further amended by adding thereto the following paragraphs:

27a. establish and conduct during the school year courses ^{winter courses} for teachers;

37. subject to the approval of the Minister, establish, as provided by the regulations, special education programmes to provide special education services for children who require such services; ^{special education programmes}

38. When requested by the board of a cerebral palsy treatment centre school or a crippled children's treatment centre school and with the approval of the Minister, by agreement, assume the assets and liabilities of such board and continue to operate such a school, and, upon the effective date of the agreement between the two boards, the board making the request is dissolved. ^{assumption of cerebral palsy and crippled children's treatment centres}

10. Section 35a of *The Schools Administration Act*, as enacted by section 3 of *The Schools Administration Amendment Act, 1962-63*, is repealed and the following substituted therefor: ^{R.S.O. 1960, c. 361, s. 35a (1962-63, c. 129, s. 3), re-enacted}

35a. In addition to any other remedy possessed by a board in territory without municipal organization for the recovery of rates imposed under the authority of *The Public Schools Act*, *The Separate Schools Act* or *The Secondary Schools and Boards of Education Act*, the board, with the approval of the public, separate or secondary school inspector, as the case may be, in writing signed by him, may bring an action in a court of competent jurisdiction for the recovery of any rates in arrear against the person assessed therefor. ^{Collection of rates in territory without municipal organization by action R.S.O. 1960, cc. 330, 368, 362}

11. *The Schools Administration Act* is amended by adding thereto the following section: ^{R.S.O. 1960, c. 361, amended}

35c.—(1) A board may enter into an agreement with the Crown in right of Canada for a period specified in the agreement to provide accommodation and tuition for the maximum number of Indian pupils agreed upon, and the fees therefor shall be as provided in subsection 1 of section 100a. ^{Agreements re accommodation for Indian pupils}

Idem

- (2) A board may enter into an agreement with the Crown in right of Canada for a period specified in the agreement to provide for a payment from the Crown in right of Canada to provide additional classroom accommodation and to provide tuition for a maximum of thirty-five Indian pupils for each additional classroom so provided, and the fees therefor shall be as provided in subsection 1 of section 100a, but exclusive of expenditures for the erection of school buildings for instructional purposes and additions thereto.

Appointed
representa-
tive of
Indian pupils

- (3) Where a board has entered into an agreement under this section, the board, on the recommendation of the council of the Indian band concerned, may appoint as a member of the board such person as it deems proper to represent the interests of the Indian pupils served by the board, and the person so appointed has all the powers and duties of a member of the board as though he were eligible and duly elected as a member of the board.

R.S.O. 1960,
c. 361, s. 37,
subs. 6
(1965,
c. 118, s. 6,
subs. 4),
amended

12.—(1) Subsection 6 of section 37 of *The Schools Administration Act*, as enacted by subsection 4 of section 6 of *The Schools Administration Amendment Act, 1965*, is amended by striking out "high" in the second line and inserting in lieu thereof "secondary".

R.S.O. 1960,
c. 361, s. 37,
subs. 7
(1966,
c. 140, s. 8),
amended

(2) Subsection 7 of the said section 37, as enacted by section 8 of *The Schools Administration Amendment Act, 1966*, is amended by striking out "high" in the second line and inserting in lieu thereof "secondary".

R.S.O. 1960,
c. 361, s. 37,
subs. 8
(1966,
c. 140, s. 8),
amended

(3) Subsection 8 of the said section 37, as enacted by section 8 of *The Schools Administration Amendment Act, 1966*, is amended by striking out "high" in the first line and in the seventh line and inserting in lieu thereof in each instance "secondary".

R.S.O. 1960,
c. 361, s. 37,
amended

(4) The said section 37, as amended by section 9 of *The Schools Administration Amendment Act, 1964*, section 6 of *The Schools Administration Amendment Act, 1965* and section 8 of *The Schools Administration Amendment Act, 1966*, is further amended by adding thereto the following subsection:

Boarding
and trans-
portation of
secondary
school pupils
in a
territorial
district
taking
"francais"
subject

- (9) Where a secondary school pupil resides in a territorial district in a secondary school district with his parent or guardian in a residence that is fifteen miles or more by road or rail from a secondary school in which the subject of French, taught as a subject for students

Subsection 3 is new.

SECTION 12—Subsections 1, 2 and 3. The provisions respecting boarding of secondary school pupils are extended to apply to continuation schools as well as high schools.

Subsection 4. The amendment authorizes elementary school boards to provide for the transportation or the board and lodging of French-speaking secondary school pupils who live in a secondary school district in a territorial district.

SECTION 13. The authority of a board to establish a system of sick leave credit gratuities is by reference to *The Municipal Act*. Section 39 is re-enacted to make provision for such a system under *The Schools Administration Act* substantially the same as that provided for in *The Municipal Act* prior to 1966.

who normally speak the French language, is offered as one of the subjects of the courses of study, an elementary school board may reimburse the parent or guardian at the end of each month for the cost of providing for such pupil, when not so provided by the secondary school board, board, lodging and transportation once a week from his residence to school and return, in an amount not exceeding \$3 for each day of attendance as certified by the principal of the secondary school that the pupil attends, or may furnish transportation for such pupils in lieu thereof.

13. Section 39 of *The Schools Administration Act* is repealed and the following substituted therefor: R.S.O. 1960, c. 361, s. 39, re-enacted

- 39.—(1) A board, by resolution, may establish a system of sick leave credit gratuities for employees or any class thereof provided that on the termination of his employment no employee is entitled to more than an amount equal to his salary, wages or other remuneration for one-half the number of days standing to his credit and in any event not in excess of the amount of one-half year's earnings at the rate received by him immediately prior to termination of employment. Sick leave credits
- (2) Where an employee of a board that has established a sick leave credit plan under this or any other general or special Act becomes an employee of another board that has also established a sick leave credit plan under this or any other general or special Act, the latter board shall, subject to the limitation in subsection 4, place to the credit of the employee the sick leave credits standing to the credit of the employee in the plan of the first-mentioned board. Allowing of credits on transfer of employment
- (3) Where an employee of a municipality or a local board as defined in *The Department of Municipal Affairs Act*, except a school board, that has established a sick leave credit plan under any general or special Act becomes an employee of a board that has established a sick leave credit plan under this or any other general or special Act, the board shall, subject to the limitation in subsection 4, place to the credit of the employee the sick leave credits standing to the credit of the employee in the plan of such municipality or local board. Idem R.S.O. 1960, c. 98
- (4) The amount of sick leave credits placed to the credit of an employee under subsection 2 or 3 shall not Limitation

exceed the amount of cumulative sick leave credits permitted under the plan to which the credits are placed.

Application
of subss. 2, 3,
where
intervening
employment

- (5) Subsections 2 and 3 apply only where the transfer of employment from a school board to another school board or from a municipality or a local board to a school board is made without intervening employment that interrupts the continuity of employment under which sick leave credits are accumulated.

R.S.O. 1960,
c. 361, s. 44a
(1966,
c. 140, s. 9),
amended

14. Section 44a of *The Schools Administration Act*, as enacted by section 9 of *The Schools Administration Amendment Act, 1966*, is amended by adding thereto the following subsection:

Resignation
to become
candidate
for some
other office

- (2) Notwithstanding subsection 1, where it is necessary for a trustee of a board to resign to become a candidate for some other office, he may resign by filing his resignation, including a statement that he is resigning for the purpose of becoming a candidate for some other office, with the secretary of the board and the resignation shall become effective on the 31st day of December after it is so filed.

R.S.O. 1960,
c. 361, s. 50,
subss. 1-3,
re-enacted;
subss. 4,
repealed

15. Subsections 1, 2, 3 and 4 of section 50 of *The Schools Administration Act* are repealed and the following substituted therefor:

Disquali-
fication
by interest
in contract
with or
claim against
board

- (1) A person is not qualified to be elected as a trustee of a board or to act as a trustee of a board,

(a) who, either himself or by or with or through another, has an interest in any contract with the board or with any person acting for the board or in any contract for the supply of goods or materials to a contractor for work for which the board pays or is liable directly or indirectly to pay or which is subject to the control or supervision of the board or of an officer of the board, or who has an unsatisfied claim for such goods or materials; or

(b) who, either himself or by or with or through another, has any claim, action or proceeding against the board.

Disquali-
fication not
to apply
in certain
cases

- (2) Subsection 1 does not apply to a person by reason only,

SECTION 14. The amendment provides that where a trustee resigns to become a candidate for some other office he shall so state in his resignation, and his resignation takes effect on the 31st day of December after it is filed with the secretary of the board.

SECTION 15. The amendments are to bring the provisions respecting disqualification of trustees by reason of a trustee having an interest in a contract with or a claim against a board in line with similar provisions respecting municipal councillors.

SECTION 16. Subsection 3 is obsolete and is, therefore, repealed.

- (a) of his being a shareholder in a corporation having dealings or a contract with the board, unless such person is a director, manager, secretary, treasurer, secretary-treasurer or agent or has a controlling interest in such corporation and, for the purpose of determining a controlling interest under this clause, when married persons are living together, the interest of one spouse, if known to the other, is deemed to be also an interest of the other spouse;
- (b) of his being the proprietor of or otherwise interested in a newspaper or other periodical publication subscribed for by the board or in which an advertisement or notice is inserted in the regular course of business, if the subscription, advertisement or notice is paid for at the usual rate;
- (c) of his being related by blood or marriage to a person employed by the board;
- (d) of his being entitled to or receiving, on or after his retirement from employment or service with a board, a pension, retirement allowance, sick leave credit gratuity or any payment in respect of his employment or service with the board; or
- (e) of his having an interest in a contract or proposed contract or other matter that he may have as a ratepayer or elector or as a user of any service supplied to him by the board in like manner and subject to the like conditions as are applicable in the case of persons who are not trustees.

- (3) If a trustee of a board in his own name or in that of another and alone or jointly with another enters into a contract with or makes a purchase from or a sale to the board, the contract, purchase or sale as against the board is voidable at the instance of the board or a ratepayer assessed to the support of the school or schools under the jurisdiction of the board.

16. Subsection 3 of section 54 of *The Schools Administration Act*, as re-enacted by section 10 of *The Schools Administration Amendment Act, 1966*, is repealed.

R.S.O. 1960,
c. 361, s. 54
(1966,
c. 140, s. 10),
subs. 3,
repealed

R.S.O. 1960,
c. 361, Pt. V
(ss. 55-61),
repealed

17. Part V of *The Schools Administration Act*, as amended by sections 10 and 11 of *The Schools Administration Amendment Act, 1965* and section 11 of *The Schools Administration Amendment Act, 1966*, is repealed.

R.S.O. 1960,
c. 361, s. 65,
subs. 1,
amended

18. Subsection 1 of section 65 of *The Schools Administration Act* is amended by striking out "*The Public Schools Act* and" in the first and second lines, so that the subsection shall read as follows:

Board may
purchase or
expropriate
R.S.O. 1960,
c. 368

- (1) Subject to the provisions of *The Separate Schools Act* as to the selection of a site by a rural school board, every board may acquire by purchase or otherwise or may expropriate any land described in a resolution of the board declaring that the land is required for a school site or for the enlargement of a school site.

R.S.O. 1960,
c. 361, s. 65a
(1965,
c. 118, s. 13),
amended

19. Section 65a of *The Schools Administration Act*, as enacted by section 13 of *The Schools Administration Amendment Act, 1965*, is amended by striking out "but such property, so long as it is held by the board and is not situated in the school section or high school district in which the board has jurisdiction, is subject to municipal assessment and taxation in the municipality in which it is situated" in the sixth, seventh, eighth, ninth, tenth and eleventh lines, so that the section shall read as follows:

Purchase of
school site
in adjoining
section or
district

- 65a. A public school board, board of education or secondary school board, with the approval of the Minister, may purchase a school site and purchase or build a school building thereon in an adjoining school section or high school district, as the case may be, for the purpose of operating a school therein.

R.S.O. 1960,
c. 361, s. 66a
(1965,
c. 118, s. 14),
subs. 1,
amended

20. Subsection 1 of section 66a of *The Schools Administration Act*, as enacted by section 14 of *The Schools Administration Amendment Act, 1965*, is amended by striking out "not exceeding 200 acres" in the fourth and fifth lines, so that the subsection shall read as follows:

Natural
science
schools

- (1) A board that had an average daily attendance of 10,000 or more in the preceding year in the schools under its jurisdiction may acquire by purchase or otherwise land in any municipality for the purpose of erecting a natural science school, and may build and operate such a school thereon.

R.S.O. 1960,
c. 361,
Part IX,
amended

21. Part IX of *The Schools Administration Act* is amended by adding thereto the following section:

SECTION 17. Part V, dealing with Auxiliary Classes, is repealed and such classes will be provided for under special education as an integral part of the whole education programme.

SECTION 18. The special provisions of *The Public Schools Act* providing for the selection of a site by a rural school board were repealed in 1966. The reference to *The Public Schools Act* is, therefore, deleted.

SECTION 19. Where a board with the approval of the Minister acquires land and builds a school in another school section or high school district such land and building are subject to municipal assessment and taxation in the other school section or high school district. The amendment will place the land and school in the same position in relation to taxation as if they were located in the school section or high school district in which the board has jurisdiction.

SECTION 20. The restriction limiting the size of a site for a natural science school to 200 acres is deleted.

SECTION 21. Provision is made for the amalgamation of public and secondary school consultative committees.

SECTION 22. Subsection 1 is re-enacted,

- (1) to revise subclause ii of clause *a* to make the calculation of non-resident fees consistent with the policy of providing certain boards in the territorial districts with Northern Assistance payments,
- (2) to provide, where Grades 9 and 10 are included in an elementary school, for the separate calculation of fees in relation to kindergarten to Grade 8 and Grades 9 and 10.

99a.—(1) Where in a county a public school consultative committee and a secondary school consultative committee have been established, the council of the county may direct that the two committees be amalgamated to form a county educational consultative committee.

County
educational
consultative
committee

(2) Where in a territorial district a public school consultative committee and a secondary school consultative committee have been established, the Minister may direct that the two committees be amalgamated to form a district educational consultative committee.

District
educational
consultative
committee

(3) Every educational consultative committee formed under subsection 1 or 2 is, for public school purposes, a public school consultative committee and, for secondary school purposes, a secondary school consultative committee.

Committee
to be both
public and
secondary
school
consultative
committees

(4) The secretary of the public school consultative committee shall be the secretary and an adviser of the educational consultative committee and the district secondary school inspector shall be an adviser of the educational consultative committee.

Secretary
and advisers

(5) A member of an educational consultative committee who is a separate school supporter shall not vote on a motion that affects or relates to public schools exclusively.

Separate
school
supporter
not to vote
on public
school
matters

22. Subsections 1 and 2 of section 100a of *The Schools Administration Act*, as enacted by section 18 of *The Schools Administration Amendment Act, 1965*, are repealed and the following substituted therefor:

R.S.O. 1960,
c. 361,
s. 100a
(1965,
c. 118, s. 18),
subss. 1, 2,
re-enacted

(1) Where a board provides education for pupils whose fees are receivable from another board, from Canada or from Ontario, the fees shall be calculated by the use of the financial data and attendance in respect of elementary schools, academic courses in secondary schools or technical and commercial courses in vocational schools, as the case may be, for the year in which such education is provided,

Fees for
non-resident
pupils,
calculation

(a) by ascertaining the gross current expenditure for,

(i) maintenance of the schools under the jurisdiction of the board, excluding transportation, tuition fees and evening courses of study,

(ii) capital expenditures from current funds, excluding the portion of the cost of a new school or an addition to a school building under a technical and vocational training agreement entered into by Canada and Ontario or an agreement entered into by a board and Ontario that was assumed and paid by Ontario, and

(iii) debt charges;

(b) by ascertaining the total gross revenue from all sources, excluding legislative grants, taxation, tuition fees and costs recoverable from Ontario;

(c) by deducting the amount determined under clause *b* from the amount determined under clause *a*;

(d) by ascertaining the perfect aggregate attendance of all pupils at the schools under the jurisdiction of the board;

(e) by dividing the amount determined under clause *c* by the attendance determined under clause *d* to calculate the gross cost per pupil per day; and

(f) by multiplying the perfect aggregate attendance of the pupils whose fees are the responsibility of another board, of Canada or of Ontario by the amount determined under clause *e* to ascertain the fees receivable,

provided that where Grades 9 and 10 are included in an elementary school, the fees in respect of kindergarten to Grade 8, inclusive, and in respect of Grades 9 and 10 may be calculated by the use of the financial data and attendance in respect of kindergarten to Grade 8, inclusive, or Grades 9 and 10, as the case may be.

Special
education
classes

(2) Where a board provides instruction in a special education class for a pupil,

(a) whose fee is receivable from another board, from Canada or from Ontario, the fee shall be twice that calculated under subsection 1;

Subsection 2 is revised to clarify the calculation of fees for non-resident special education pupils.

SECTION 23. Subsection 1 is revised for the purpose of clarification and the provision requiring prior approval by the Minister is deleted.

SECTION 24. The amendment provides for the payment of tuition fees to a Retarded Children's Education Authority by a board appointed in respect of lands exempt from taxation.

- (b) whose fee is receivable from the council of a municipality, the fee shall be twice that calculated under subsection 3; and
- (c) whose fee is receivable from a parent or guardian, the fee shall be such as the board may prescribe, but shall not exceed twice the fee calculated as provided in subsection 3, except that the financial data and attendance used in such calculation shall be in respect of the year preceding the year in which the pupil is enrolled.

23. Subsection 1 of section 111 of *The Schools Administration Act*, as enacted by section 12 of *The Schools Administration Amendment Act, 1964*, is repealed and the following substituted therefor:

R.S.O. 1960,
c. 361, s. 111
(1964,
c. 105, s. 12),
subs. 1,
re-enacted

- (1) Where in a municipality or in a municipality and an adjacent municipality there are resident at least ten retarded children whose parents are represented by a local association, the local association may request the council of the municipality to establish an Authority to operate a school or schools in the municipality or in the adjacent municipality for the education of retarded children, and, subject to the approval of the Minister, the council shall by by-law establish an Authority for such purpose.

Establish-
ment of
Authority

24. Section 117 of *The Schools Administration Act*, as enacted by section 12 of *The Schools Administration Amendment Act, 1964*, is amended by adding thereto the following subsection:

R.S.O. 1960,
c. 361, s. 117
(1964,
c. 105, s. 12),
amended

- (3) Where a retarded child is admitted to a school operated by an Authority but is resident on lands that are exempt from taxation for school purposes and that have been designated by the Minister as a rural school section for which a board has been appointed under subsection 1 of section 12 of *The Public Schools Act* or that have been designated a high school district for which a board has been appointed under subsection 4a of section 51 of *The Secondary Schools and Boards of Education Act*, the board shall pay to the Authority a tuition fee not exceeding the gross cost per child based on the average daily attendance of such school in the preceding year.

Admission
of child
resident
on exempt
lands

R.S.O. 1960,
cc. 330, 362

- Commence-
ment **25.**—(1) This Act, except sections 2, 3, 4, 5, 6, 7, 8, 15, 22
and 24, comes into force on the day it receives Royal Assent.
- Idem (2) Sections 22 and 24 shall be deemed to have come into
force on the 1st day of September, 1967.
- Idem (3) Sections 2, 3, 4, 5, 6, 7, 8 and 15 come into force on the
1st day of January, 1968.
- Short title **26.** This Act may be cited as *The Schools Administration
Amendment Act, 1967*.

An Act to amend
The Schools Administration Act

1st Reading

June 1st, 1967

2nd Reading

3rd Reading

MR. DAVIS

BILL 137

5TH SESSION, 27TH LEGISLATURE, ONTARIO
15-16 ELIZABETH II, 1967

An Act to amend The Schools Administration Act

MR. DAVIS

REPORT OF THE COMMISSIONER OF THE GENERAL LAND OFFICE
FOR THE YEAR 1890

THE LAND OFFICE, LONDON: PRINTED BY THE COMMISSIONER OF THE GENERAL LAND OFFICE, 1891.



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BILL 137 1967

An Act to amend The Schools Administration Act

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1.—(1) Paragraph 26a of subsection 2 of section 1 of *The Schools Administration Act*, as enacted by section 1 of *The Schools Administration Amendment Act, 1964*, is repealed and the following substituted therefor:

R.S.O. 1960,
c. 361, s. 1,
subs. 2,
par. 26a
(1964,
c. 105, s. 1),
re-enacted

26a. "population" of a municipality or a portion thereof means the population determined by reference to the last municipal census of the municipality, less the number of inmates in public institutions in the municipality or the portion thereof, as certified by the clerk of the municipality.

(2) Paragraph 32 of subsection 2 of the said section 1, as re-enacted by subsection 2 of section 1 of *The Schools Administration Amendment Act, 1966*, is repealed and the following substituted therefor:

R.S.O. 1960,
c. 361, s. 1,
subs. 2,
par. 32
(1966,
c. 140, s. 1,
subs. 2),
re-enacted

32. "rural school section" means a school section, other than an enlarged administrative area, that comprises only territory without municipal organization.

2.—(1) Subsection 1 of section 7 of *The Schools Administration Act* is amended by striking out "officer" in the third line and inserting in lieu thereof "counsellor".

R.S.O. 1960,
c. 361, s. 7,
subs. 1,
amended

(2) Subsection 3 of the said section 7 is amended by striking out "officer" in the fourth line and inserting in lieu thereof "counsellor".

R.S.O. 1960,
c. 361, s. 7,
subs. 3,
amended

(3) Subsection 4 of the said section 7 is amended by striking out "officer" in the first line and in the second line and inserting in lieu thereof in each instance "counsellor".

R.S.O. 1960,
c. 361, s. 7,
subs. 4,
amended

R.S.O. 1960,
c. 361,
ss. 8, 9,
re-enacted

3. Section 8 and section 9, as amended by section 1 of *The Schools Administration Amendment Act, 1962-63*, of *The Schools Administration Act* are repealed and the following substituted therefor:

Appoint-
ment of
school
attendance
counsellors

8.—(1) Every board shall appoint one or more school attendance counsellors.

Idem

(2) Two or more boards may appoint the same school attendance counsellor or counsellors.

Vacancies

(3) Where the office of a school attendance counsellor becomes vacant, it shall be filled forthwith by the appointing body.

Notice of
appoint-
ment

(4) Notice of the appointment of a school attendance counsellor shall be given in writing by the board to the provincial school attendance counsellor and to the school inspectors concerned.

Jurisdiction
and re-
sponsibility
of
counsellors,
of public
schools

9.—(1) A school attendance counsellor appointed by a public school board has jurisdiction and is responsible for the enforcement of compulsory school attendance in respect of all children who are of compulsory school age in the area in which the board that appointed him has jurisdiction or who are not resident pupils of the public school section but are or have been enrolled during the current school year in a public school operated by the board, except children who are subject to the jurisdiction of a school attendance counsellor appointed by a secondary or separate school board.

of separate
schools

(2) A school attendance counsellor appointed by a separate school board has jurisdiction and is responsible for the enforcement of compulsory school attendance in respect of all children who are of compulsory school age and whose parents or guardians are supporters of a school operated by the board or who are not resident pupils of the separate school zone but are or have been enrolled during the current school year in a separate school operated by the board, except children who are subject to the jurisdiction of a school attendance counsellor appointed by a secondary school board.

of secondary
schools

(3) A school attendance counsellor appointed by a secondary school board has jurisdiction and is responsible for the enforcement of compulsory school attendance in respect of all children of compulsory

school age who are resident pupils of the secondary school district or who are not resident pupils of a secondary school district but are or have been enrolled during the current school year in a secondary school operated by the board.

- (4) A school attendance counsellor appointed by a board of education has jurisdiction and is responsible for the enforcement of compulsory school attendance in respect of all children who are of compulsory school age in the area in which the board has jurisdiction or who are not resident pupils of the public school section or high school district but are or have been enrolled during the current school year in a public or secondary school operated by the board, except children who are subject to the jurisdiction of a school attendance counsellor appointed by a separate school board.

4.—(1) Subsection 1 of section 10 of *The Schools Administration Act* is amended by striking out "officer" in the first line and inserting in lieu thereof "counsellor". R.S.O. 1960, c. 361, s. 10, subs. 1, amended

(2) Subsection 2 of the said section 10 is amended by striking out "officer" in the first line and in the third line and inserting in lieu thereof in each instance "counsellor". R.S.O. 1960, c. 361, s. 10, subs. 2, amended

(3) Subsection 3 of the said section 10 is amended by striking out "officer" in the first line and in the fourth line and inserting in lieu thereof in each instance "counsellor". R.S.O. 1960, c. 361, s. 10, subs. 3, amended

(4) Subsection 4 of the said section 10 is amended by striking out "officer" in the first line and inserting in lieu thereof "counsellor". R.S.O. 1960, c. 361, s. 10, subs. 4, amended

5.—(1) Clause *a* of subsection 1 of section 12 of *The Schools Administration Act* is amended by striking out "officer" in the second line and inserting in lieu thereof "counsellor". R.S.O. 1960, c. 361, s. 12, subs. 1, cl. a, amended

(2) Clause *b* of subsection 1 of the said section 12 is amended by striking out "officer" in the first line and in the second line and inserting in lieu thereof in each instance "counsellor". R.S.O. 1960, c. 361, s. 12, subs. 1, cl. b, amended

(3) Clause *c* of subsection 1 of the said section 12 is amended by striking out "officer" in the first line and inserting in lieu thereof "counsellor". R.S.O. 1960, c. 361, s. 12, subs. 1, cl. c, amended

(4) Subsection 2 of the said section 12 is amended by striking out "officer" in the second line and inserting in lieu thereof "counsellor". R.S.O. 1960, c. 361, s. 12, subs. 2, amended

R.S.O. 1960,
c. 361, s. 13,
subs. 1,
amended

6.—(1) Subsection 1 of section 13 of *The Schools Administration Act* is amended by striking out “officer” in the second line and in the eleventh line and inserting in lieu thereof in each instance “counsellor”.

R.S.O. 1960,
c. 361, s. 13,
subs. 2,
amended

(2) Subsection 2 of the said section 13 is amended by striking out “officer” in the first line and in the ninth line and inserting in lieu thereof in each instance “counsellor”.

R.S.O. 1960,
c. 361, s. 13,
subs. 3,
amended

(3) Subsection 3 of the said section 13 is amended by striking out “officer” in the first line and inserting in lieu thereof “counsellor”.

R.S.O. 1960,
c. 361, s. 14,
amended

7. Section 14 of *The Schools Administration Act* is amended by striking out “officer” in the tenth line and in the nineteenth line and inserting in lieu thereof in each instance “counsellor”.

R.S.O. 1960,
c. 361, s. 16,
subs. 1,
amended

8. Subsection 1 of section 16 of *The Schools Administration Act* is amended by striking out “officer” in the second line and inserting in lieu thereof “counsellor”.

R.S.O. 1960,
c. 361, s. 35,
par. 15,
re-enacted

9.—(1) Paragraph 15 of section 35 of *The Schools Administration Act* is repealed and the following substituted therefor:

legal costs

15. pay the costs, or any part thereof, incurred by any member of the board or by any teacher, officer or other employee of the board in successfully defending any legal proceeding brought against him,

i. for libel or slander in respect of any statements relating to the employment, suspension or dismissal of any person by the board published at a meeting of the board or of a committee thereof, or

ii. for assault in respect of disciplinary action taken in the course of duty.

R.S.O. 1960,
c. 361, s. 35,
par. 21,
amended

(2) Paragraph 21 of the said section 35 is amended by inserting after “premises” in the first line “and school buses owned by the board”, so that the paragraph shall read as follows:

permit use
of school
premises,
etc.

21. permit the school buildings and premises and school buses owned by the board to be used for any educational or other lawful purposes that it deems proper, provided the proper conduct of the school is not interfered with.

(3) The said section 35, as amended by section 2 of *The Schools Administration Amendment Act, 1960-61*, section 2 of *The Schools Administration Amendment Act, 1962-63*, section 7 of *The Schools Administration Amendment Act, 1964* and section 4 of *The Schools Administration Amendment Act, 1965*, is further amended by adding thereto the following paragraphs:

27a. establish and conduct during the school year courses for teachers; winter courses

37. subject to the approval of the Minister, establish, as provided by the regulations, special education programmes to provide special education services for children who require such services; special education programmes

38. When requested by the board of a cerebral palsy treatment centre school or a crippled children's treatment centre school and with the approval of the Minister, by agreement, assume the assets and liabilities of such board and continue to operate such a school, and, upon the effective date of the agreement between the two boards, the board making the request is dissolved. assumption of cerebral palsy and crippled children's treatment centres

10. Section 35a of *The Schools Administration Act*, as enacted by section 3 of *The Schools Administration Amendment Act, 1962-63*, is repealed and the following substituted therefor: R.S.O. 1960, c. 361, s. 35a (1962-63, c. 129, s. 3), re-enacted

35a. In addition to any other remedy possessed by a board in territory without municipal organization for the recovery of rates imposed under the authority of *The Public Schools Act*, *The Separate Schools Act* or *The Secondary Schools and Boards of Education Act*, the board, with the approval of the public, separate or secondary school inspector, as the case may be, in writing signed by him, may bring an action in a court of competent jurisdiction for the recovery of any rates in arrear against the person assessed therefor. Collection of rates in territory without municipal organization by action R.S.O. 1960, cc. 330, 368, 362

11. *The Schools Administration Act* is amended by adding thereto the following section: R.S.O. 1960, c. 361, amended

35c.—(1) A board may enter into an agreement with the Crown in right of Canada for a period specified in the agreement to provide accommodation and tuition for the maximum number of Indian pupils agreed upon, and the fees therefor shall be as provided in subsection 1 of section 100a. Agreements re accommodation for Indian pupils

Idem

- (2) A board may enter into an agreement with the Crown in right of Canada for a period specified in the agreement to provide for a payment from the Crown in right of Canada to provide additional classroom accommodation and to provide tuition for a maximum of thirty-five Indian pupils for each additional classroom so provided, and the fees therefor shall be as provided in subsection 1 of section 100a, but exclusive of expenditures for the erection of school buildings for instructional purposes and additions thereto.

Appointed representative of Indian pupils

- (3) Where a board has entered into an agreement under this section, the board, on the recommendation of the council of the Indian band concerned, may appoint as a member of the board such person as it deems proper to represent the interests of the Indian pupils served by the board, and the person so appointed has all the powers and duties of a member of the board as though he were eligible and duly elected as a member of the board.

R.S.O. 1960, c. 361, s. 37, subs. 6 (1965, c. 118, s. 6, subs. 4), amended

- 12.**—(1) Subsection 6 of section 37 of *The Schools Administration Act*, as enacted by subsection 4 of section 6 of *The Schools Administration Amendment Act, 1965*, is amended by striking out "high" in the second line and inserting in lieu thereof "secondary".

R.S.O. 1960, c. 361, s. 37, subs. 7 (1966, c. 140, s. 8), amended

- (2) Subsection 7 of the said section 37, as enacted by section 8 of *The Schools Administration Amendment Act, 1966*, is amended by striking out "high" in the second line and inserting in lieu thereof "secondary".

R.S.O. 1960, c. 361, s. 37, subs. 8 (1966, c. 140, s. 8), amended

- (3) Subsection 8 of the said section 37, as enacted by section 8 of *The Schools Administration Amendment Act, 1966*, is amended by striking out "high" in the first line and in the seventh line and inserting in lieu thereof in each instance "secondary".

R.S.O. 1960, c. 361, s. 37, amended

- (4) The said section 37, as amended by section 9 of *The Schools Administration Amendment Act, 1964*, section 6 of *The Schools Administration Amendment Act, 1965* and section 8 of *The Schools Administration Amendment Act, 1966*, is further amended by adding thereto the following subsection:

Boarding and transportation of secondary school pupils in a territorial district taking "francais" subject

- (9) Where a secondary school pupil resides in a territorial district in a secondary school district with his parent or guardian in a residence that is fifteen miles or more by road or rail from a secondary school in which the subject of French, taught as a subject for students

who normally speak the French language, is offered as one of the subjects of the courses of study, an elementary school board may reimburse the parent or guardian at the end of each month for the cost of providing for such pupil, when not so provided by the secondary school board, board, lodging and transportation once a week from his residence to school and return, in an amount not exceeding \$3 for each day of attendance as certified by the principal of the secondary school that the pupil attends, or may furnish transportation for such pupils in lieu thereof.

13. Section 39 of *The Schools Administration Act* is repealed and the following substituted therefor: R.S.O. 1960, c. 361, s. 39, re-enacted

- 39.—(1) A board, by resolution, may establish a system of sick leave credit gratuities for employees or any class thereof provided that on the termination of his employment no employee is entitled to more than an amount equal to his salary, wages or other remuneration for one-half the number of days standing to his credit and in any event not in excess of the amount of one-half year's earnings at the rate received by him immediately prior to termination of employment. Sick leave credits
- (2) Where an employee of a board that has established a sick leave credit plan under this or any other general or special Act becomes an employee of another board that has also established a sick leave credit plan under this or any other general or special Act, the latter board shall, subject to the limitation in subsection 4, place to the credit of the employee the sick leave credits standing to the credit of the employee in the plan of the first-mentioned board. Allowing of credits on transfer of employment
- (3) Where an employee of a municipality or a local board as defined in *The Department of Municipal Affairs Act*, except a school board, that has established a sick leave credit plan under any general or special Act becomes an employee of a board that has established a sick leave credit plan under this or any other general or special Act, the board shall, subject to the limitation in subsection 4, place to the credit of the employee the sick leave credits standing to the credit of the employee in the plan of such municipality or local board. Idem R.S.O. 1960, c. 98
- (4) The amount of sick leave credits placed to the credit of an employee under subsection 2 or 3 shall not Limitation

exceed the amount of cumulative sick leave credits permitted under the plan to which the credits are placed.

Application
of subss. 2, 3,
where
intervening
employment

- (5) Subsections 2 and 3 apply only where the transfer of employment from a school board to another school board or from a municipality or a local board to a school board is made without intervening employment that interrupts the continuity of employment under which sick leave credits are accumulated.

R.S.O. 1960,
c. 361, s. 44a
(1966,
c. 140, s. 9),
amended

14. Section 44a of *The Schools Administration Act*, as enacted by section 9 of *The Schools Administration Amendment Act, 1966*, is amended by adding thereto the following subsection:

Resignation
to become
candidate
for some
other office

- (2) Notwithstanding subsection 1, where it is necessary for a trustee of a board to resign to become a candidate for some other office, he may resign by filing his resignation, including a statement that he is resigning for the purpose of becoming a candidate for some other office, with the secretary of the board and the resignation shall become effective on the 31st day of December after it is so filed.

R.S.O. 1960,
c. 361, s. 50,
subss. 1-3,
re-enacted;
subs. 4,
repealed

15. Subsections 1, 2, 3 and 4 of section 50 of *The Schools Administration Act* are repealed and the following substituted therefor:

Disquali-
fication
by interest
in contract
with or
claim against
board

- (1) A person is not qualified to be elected as a trustee of a board or to act as a trustee of a board,

(a) who, either himself or by or with or through another, has an interest in any contract with the board or with any person acting for the board or in any contract for the supply of goods or materials to a contractor for work for which the board pays or is liable directly or indirectly to pay or which is subject to the control or supervision of the board or of an officer of the board, or who has an unsatisfied claim for such goods or materials; or

(b) who, either himself or by or with or through another, has any claim, action or proceeding against the board.

Disquali-
fication not
to apply
in certain
cases

- (2) Subsection 1 does not apply to a person by reason only,

- (a) of his being a shareholder in a corporation having dealings or a contract with the board, unless such person is a director, manager, secretary, treasurer, secretary-treasurer or agent or has a controlling interest in such corporation and, for the purpose of determining a controlling interest under this clause, when married persons are living together, the interest of one spouse, if known to the other, is deemed to be also an interest of the other spouse;
- (b) of his being the proprietor of or otherwise interested in a newspaper or other periodical publication subscribed for by the board or in which an advertisement or notice is inserted in the regular course of business, if the subscription, advertisement or notice is paid for at the usual rate;
- (c) of his being related by blood or marriage to a person employed by the board;
- (d) of his being entitled to or receiving, on or after his retirement from employment or service with a board, a pension, retirement allowance, sick leave credit gratuity or any payment in respect of his employment or service with the board; or
- (e) of his having an interest in a contract or proposed contract or other matter that he may have as a ratepayer or elector or as a user of any service supplied to him by the board in like manner and subject to the like conditions as are applicable in the case of persons who are not trustees.

- (3) If a trustee of a board in his own name or in that of another and alone or jointly with another enters into a contract with or makes a purchase from or a sale to the board, the contract, purchase or sale as against the board is voidable at the instance of the board or a ratepayer assessed to the support of the school or schools under the jurisdiction of the board.

16. Subsection 3 of section 54 of *The Schools Administration Act*, as re-enacted by section 10 of *The Schools Administration Amendment Act, 1966*, is repealed.

R.S.O. 1960,
c. 361, s. 54
(1966,
c. 140, s. 10),
subs. 3,
repealed

R.S.O. 1960,
c. 361, Pt. V
(ss. 55-61),
repealed

17. Part V of *The Schools Administration Act*, as amended by sections 10 and 11 of *The Schools Administration Amendment Act, 1965* and section 11 of *The Schools Administration Amendment Act, 1966*, is repealed.

R.S.O. 1960,
c. 361, s. 65,
subs. 1,
amended

18. Subsection 1 of section 65 of *The Schools Administration Act* is amended by striking out "*The Public Schools Act* and" in the first and second lines, so that the subsection shall read as follows:

Board may
purchase or
expropriate
R.S.O. 1960,
c. 368

- (1) Subject to the provisions of *The Separate Schools Act* as to the selection of a site by a rural school board, every board may acquire by purchase or otherwise or may expropriate any land described in a resolution of the board declaring that the land is required for a school site or for the enlargement of a school site.

R.S.O. 1960,
c. 361, s. 65a
(1965,
c. 118, s. 13),
amended

19. Section 65a of *The Schools Administration Act*, as enacted by section 13 of *The Schools Administration Amendment Act, 1965*, is amended by striking out "but such property, so long as it is held by the board and is not situated in the school section or high school district in which the board has jurisdiction, is subject to municipal assessment and taxation in the municipality in which it is situated" in the sixth, seventh, eighth, ninth, tenth and eleventh lines, so that the section shall read as follows:

Purchase of
school site
in adjoining
section or
district

- 65a. A public school board, board of education or secondary school board, with the approval of the Minister, may purchase a school site and purchase or build a school building thereon in an adjoining school section or high school district, as the case may be, for the purpose of operating a school therein.

R.S.O. 1960,
c. 361, s. 66a
(1965,
c. 118, s. 14),
subs. 1,
amended

20. Subsection 1 of section 66a of *The Schools Administration Act*, as enacted by section 14 of *The Schools Administration Amendment Act, 1965*, is amended by striking out "not exceeding 200 acres" in the fourth and fifth lines, so that the subsection shall read as follows:

Natural
science
schools

- (1) A board that had an average daily attendance of 10,000 or more in the preceding year in the schools under its jurisdiction may acquire by purchase or otherwise land in any municipality for the purpose of erecting a natural science school, and may build and operate such a school thereon.

R.S.O. 1960,
c. 361,
Part IX,
amended

21. Part IX of *The Schools Administration Act* is amended by adding thereto the following section:

- 99a.—(1) Where in a county a public school consultative committee and a secondary school consultative committee have been established, the council of the county may direct that the two committees be amalgamated to form a county educational consultative committee. County educational consultative committee
- (2) Where in a territorial district a public school consultative committee and a secondary school consultative committee have been established, the Minister may direct that the two committees be amalgamated to form a district educational consultative committee. District educational consultative committee
- (3) Every educational consultative committee formed under subsection 1 or 2 is, for public school purposes, a public school consultative committee and, for secondary school purposes, a secondary school consultative committee. Committee to be both public and secondary school consultative committees
- (4) The secretary of the public school consultative committee shall be the secretary and an adviser of the educational consultative committee and the district secondary school inspector shall be an adviser of the educational consultative committee. Secretary and advisers
- (5) A member of an educational consultative committee who is a separate school supporter shall not vote on a motion that affects or relates to public schools exclusively. Separate school supporter not to vote on public school matters

22. Subsections 1 and 2 of section 100a of *The Schools Administration Act*, as enacted by section 18 of *The Schools Administration Amendment Act, 1965*, are repealed and the following substituted therefor: R.S.O. 1960, c. 361, s. 100a (1965, c. 118, s. 18), subss. 1, 2, re-enacted

- (1) Where a board provides education for pupils whose fees are receivable from another board, from Canada or from Ontario, the fees shall be calculated by the use of the financial data and attendance in respect of elementary schools, academic courses in secondary schools or technical and commercial courses in vocational schools, as the case may be, for the year in which such education is provided, Fees for non-resident pupils, calculation
- (a) by ascertaining the gross current expenditure for,
- (i) maintenance of the schools under the jurisdiction of the board, excluding transportation, tuition fees and evening courses of study,

(ii) capital expenditures from current funds, excluding the portion of the cost of a new school or an addition to a school building under a technical and vocational training agreement entered into by Canada and Ontario or an agreement entered into by a board and Ontario that was assumed and paid by Ontario, and

(iii) debt charges;

(b) by ascertaining the total gross revenue from all sources, excluding legislative grants, taxation, tuition fees and costs recoverable from Ontario;

(c) by deducting the amount determined under clause *b* from the amount determined under clause *a*;

(d) by ascertaining the perfect aggregate attendance of all pupils at the schools under the jurisdiction of the board;

(e) by dividing the amount determined under clause *c* by the attendance determined under clause *d* to calculate the gross cost per pupil per day; and

(f) by multiplying the perfect aggregate attendance of the pupils whose fees are the responsibility of another board, of Canada or of Ontario by the amount determined under clause *e* to ascertain the fees receivable,

provided that where Grades 9 and 10 are included in an elementary school, the fees in respect of kindergarten to Grade 8, inclusive, and in respect of Grades 9 and 10 may be calculated by the use of the financial data and attendance in respect of kindergarten to Grade 8, inclusive, or Grades 9 and 10, as the case may be.

Special
education
classes

(2) Where a board provides instruction in a special education class for a pupil,

(a) whose fee is receivable from another board, from Canada or from Ontario, the fee shall be twice that calculated under subsection 1;

(b) whose fee is receivable from the council of a municipality, the fee shall be twice that calculated under subsection 3; and

(c) whose fee is receivable from a parent or guardian, the fee shall be such as the board may prescribe, but shall not exceed twice the fee calculated as provided in subsection 3, except that the financial data and attendance used in such calculation shall be in respect of the year preceding the year in which the pupil is enrolled.

23. Subsection 1 of section 111 of *The Schools Administration Act*, as enacted by section 12 of *The Schools Administration Amendment Act, 1964*, is repealed and the following substituted therefor:

R.S.O. 1960,
c. 361, s. 111
(1964,
c. 105, s. 12),
subs. 1,
re-enacted

- (1) Where in a municipality or in a municipality and an adjacent municipality there are resident at least ten retarded children whose parents are represented by a local association, the local association may request the council of the municipality to establish an Authority to operate a school or schools in the municipality or in the adjacent municipality for the education of retarded children, and, subject to the approval of the Minister, the council shall by by-law establish an Authority for such purpose.

Establish-
ment of
Authority

24. Section 117 of *The Schools Administration Act*, as enacted by section 12 of *The Schools Administration Amendment Act, 1964*, is amended by adding thereto the following subsection:

R.S.O. 1960,
c. 361, s. 117
(1964,
c. 105, s. 12),
amended

- (3) Where a retarded child is admitted to a school operated by an Authority but is resident on lands that are exempt from taxation for school purposes and that have been designated by the Minister as a rural school section for which a board has been appointed under subsection 1 of section 12 of *The Public Schools Act* or that have been designated a high school district for which a board has been appointed under subsection 4a of section 51 of *The Secondary Schools and Boards of Education Act*, the board shall pay to the Authority a tuition fee not exceeding the gross cost per child based on the average daily attendance of such school in the preceding year.

Admission
of child
resident
on exempt
lands

R.S.O. 1960,
cc. 330, 362

- Commence-
ment** **25.**—(1) This Act, except sections 2, 3, 4, 5, 6, 7, 8, 15, 22 and 24, comes into force on the day it receives Royal Assent.
- Idem** (2) Sections 22 and 24 shall be deemed to have come into force on the 1st day of September, 1967.
- Idem** (3) Sections 2, 3, 4, 5, 6, 7, 8 and 15 come into force on the 1st day of January, 1968.
- Short title** **26.** This Act may be cited as *The Schools Administration Amendment Act, 1967*.

An Act to amend
The Schools Administration Act

1st Reading

June 1st, 1967

2nd Reading

June 5th, 1967

3rd Reading

June 12th, 1967

MR. DAVIS

BILL 138

**5TH SESSION, 27TH LEGISLATURE, ONTARIO
15-16 ELIZABETH II, 1967**

An Act to amend The Department of Education Act

MR. DAVIS

SECTION 1—Subsection 1. The provisions respecting auxiliary classes are replaced by special education as an integral part of the whole education programme.

Subsection 2. The amendment is complementary to amendments to *The Schools Administration Act* changing the name of school attendance officers to school attendance counsellors.

SECTION 2. The Federal Department of Labour is now the Department of Manpower and Immigration and the references to it are changed accordingly.

An Act to amend The Department of Education Act

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1.—(1) Paragraph 3 of subsection 1 of section 12 of *The Department of Education Act* is repealed and the following substituted therefor:

R.S.O. 1960,
c. 94, s. 12,
subs. 1,
par. 3,
re-enacted

3. governing the establishment, organization and administration of special education programmes and services.

special
education

(2) Paragraph 27 of subsection 1 of the said section 12 is amended by striking out "officers" in the fifth line and inserting in lieu thereof "counsellors".

R.S.O. 1960,
c. 94, s. 12,
subs. 1,
par. 27,
amended

2.—(1) Subsection 1 of section 13 of *The Department of Education Act*, as re-enacted by section 2 of *The Department of Education Amendment Act, 1962-63*, is amended by striking out "Labour" in the fifth line and inserting in lieu thereof "Manpower and Immigration", so that the subsection shall read as follows:

R.S.O. 1960,
c. 94, s. 13,
subs. 1,
(1962-63,
c. 32, s. 2),
amended

- (1) The Crown in right of Ontario, represented by the Minister, with the approval of the Lieutenant Governor in Council, may make agreements with the Crown in right of Canada represented by the Minister of Manpower and Immigration of Canada respecting technical and vocational training and represented by the Minister of National Health and Welfare of Canada respecting physical fitness.

Technical
and
vocational
agreements,
etc.

(2) Subsection 3 of the said section 13 is amended by striking out "Labour" in the third line and inserting in lieu thereof "Manpower and Immigration", so that the subsection shall read as follows:

R.S.O. 1960,
c. 94, s. 13,
subs. 3,
amended

**Bursaries
and
scholarships**

- (3) The Crown in right of Ontario, represented by the Minister, may make agreements with the Crown in right of Canada, represented by the Minister of Manpower and Immigration of Canada, respecting the establishment, awarding and payment of bursaries and scholarships to students eligible therefor under the regulations.

**Commence-
ment**

- 3.**—(1) This Act, except subsection 2 of section 1, comes into force on the day it receives Royal Assent.

Idem

- (2) Subsection 2 of section 1 comes into force on the 1st day of January, 1968.

Short title

- 4.** This Act may be cited as *The Department of Education Amendment Act, 1967*.

An Act to amend
The Department of Education Act

1st Reading

June 1st, 1967

2nd Reading

3rd Reading

MR. DAVIS

BILL 138

**5TH SESSION, 27TH LEGISLATURE, ONTARIO
15-16 ELIZABETH II, 1967**

An Act to amend The Department of Education Act

MR. DAVIS

An Act to amend The Department of Education Act

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1.—(1) Paragraph 3 of subsection 1 of section 12 of *The Department of Education Act* is repealed and the following substituted therefor: R.S.O. 1960,
c. 94, s. 12,
subs. 1,
par. 3,
re-enacted

3. governing the establishment, organization and administration of special education programmes and services. special
education

(2) Paragraph 27 of subsection 1 of the said section 12 is amended by striking out "officers" in the fifth line and inserting in lieu thereof "counsellors". R.S.O. 1960,
c. 94, s. 12,
subs. 1,
par. 27,
amended

2.—(1) Subsection 1 of section 13 of *The Department of Education Act*, as re-enacted by section 2 of *The Department of Education Amendment Act, 1962-63*, is amended by striking out "Labour" in the fifth line and inserting in lieu thereof "Manpower and Immigration", so that the subsection shall read as follows: R.S.O. 1960,
c. 94, s. 13,
subs. 1
(1962-63,
c. 32, s. 2),
amended

- (1) The Crown in right of Ontario, represented by the Minister, with the approval of the Lieutenant Governor in Council, may make agreements with the Crown in right of Canada represented by the Minister of Manpower and Immigration of Canada respecting technical and vocational training and represented by the Minister of National Health and Welfare of Canada respecting physical fitness. Technical
and
vocational
agreements,
etc.

(2) Subsection 3 of the said section 13 is amended by striking out "Labour" in the third line and inserting in lieu thereof "Manpower and Immigration", so that the subsection shall read as follows: R.S.O. 1960,
c. 94, s. 13,
subs. 3,
amended

Bursaries
and
scholarships

- (3) The Crown in right of Ontario, represented by the Minister, may make agreements with the Crown in right of Canada, represented by the Minister of Manpower and Immigration of Canada, respecting the establishment, awarding and payment of bursaries and scholarships to students eligible therefor under the regulations.

Commence-
ment

- 3.**—(1) This Act, except subsection 2 of section 1, comes into force on the day it receives Royal Assent.

Idem

- (2) Subsection 2 of section 1 comes into force on the 1st day of January, 1968.

Short title

- 4.** This Act may be cited as *The Department of Education Amendment Act, 1967*.

An Act to amend
The Department of Education Act

1st Reading

June 1st, 1967

2nd Reading

June 5th, 1967

3rd Reading

June 12th, 1967

MR. DAVIS

BILL 139

5TH SESSION, 27TH LEGISLATURE, ONTARIO
15-16 ELIZABETH II, 1967

An Act to amend The Mental Hospitals Act

MR. DYMOND

Enacted by the Council of the Government of the
 State of New York, 1967

Enacted by the Council of the Government of the
 State of New York, 1967

EXPLANATORY NOTE

The purpose of this Bill is:

1. to repeal the provisions of *The Mental Hospitals Act* that will be obsolete when *The Mental Health Act, 1967* is proclaimed in force; and
2. to bring the remaining provisions of the former into line with the latter.

BILL 139 **1967**

An Act to amend The Mental Hospitals Act

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1.—(1) Clause *a* of section 1 of *The Mental Hospitals Act* is repealed and the following substituted therefor:

R.S.O. 1960,
c. 236, s. 1,
cl. *a*,
re-enacted

(*a*) "approved home" means a home to which patients may be released from an institution in the manner provided by this Act and the regulations.

(2) Clauses *e*, *f*, *g*, *h*, *i* and *j* of the said section 1 are repealed and the following substituted therefor:

R.S.O. 1960,
c. 236, s. 1,
cls. *e-i*,
repealed;
cl. *j*,
re-enacted

(*j*) "institution" means an institution under this Act, and includes every approved home connected therewith.

(3) Clauses *k*, *l*, *m* and *n* of the said section 1 are repealed.

R.S.O. 1960,
c. 236, s. 1,
cls. *k-n*,
repealed

(4) Clause *o* of the said section 1 is repealed and the following substituted therefor:

R.S.O. 1960,
c. 236, s. 1,
cl. *o*,
re-enacted

(*o*) "Minister" means the Minister of Health;

(*oa*) "officer-in-charge" means the officer of the Department who is appointed as the superintendent or hospital administrator of an institution.

(5) Clause *q* of the said section 1, as amended by section 1 of *The Mental Hospitals Amendment Act, 1962-63* is repealed.

R.S.O. 1960,
c. 236, s. 1,
cl. *q*,
repealed

(6) Clauses *s* and *t* of the said section 1 are repealed.

R.S.O. 1960,
c. 236, s. 1,
cls. *s, t*,
repealed

2. Sections 3 and 4 of *The Mental Hospitals Act* are repealed and the following substituted therefor:

R.S.O. 1960,
c. 236,
ss. 3, 4,
re-enacted

Names of
institutions

3. Each institution shall be known by such name as the Lieutenant Governor in Council may designate.

Application
of
R.S.O. 1960,
c. 322

4. The Lieutenant Governor in Council may designate any provision of *The Public Hospitals Act* or of the regulations thereunder as being applicable to any institution under this Act.

R.S.O. 1960,
c. 236, s. 5,
subs. 2, cl. d,
re-enacted

- 3.—(1) Clause *d* of subsection 2 of section 5 of *The Mental Hospitals Act* is repealed and the following substituted therefor:

- (*d*) the appointment of officers and employees, and prescribing their powers and duties.

R.S.O. 1960,
c. 236, s. 5,
subs. 2,
cls. *f*, *g*,
repealed

- (2) Clauses *f* and *g* of subsection 2 of the said section 5 are repealed.

R.S.O. 1960,
c. 236, s. 5,
subs. 2,
cl. *h*,
re-enacted

- (3) Clause *h* of subsection 2 of the said section 5 is repealed and the following substituted therefor:

- (*h*) regulating the care, treatment and maintenance of patients.

R.S.O. 1960,
c. 236, s. 5,
subs. 2,
cl. *ha*
(1961-62,
c. 79, s. 1,
subs. 1),
repealed

- (4) Clause *ha* of subsection 2 of the said section 5, as enacted by subsection 1 of section 1 of *The Mental Hospitals Amendment Act, 1961-62*, is repealed.

R.S.O. 1960,
c. 236, s. 5,
subs. 2, cl. *j*,
re-enacted

- (5) Clause *j* of subsection 2 of the said section 5 is repealed and the following substituted therefor:

- (*j*) prescribing the forms relating to patients and all other forms required for the carrying out of this Act and the regulations.

R.S.O. 1960,
c. 236, s. 5,
subs. 2,
cls. *m*, *n*,
re-enacted

- (6) Clauses *m* and *n* of subsection 2 of the said section 5 are repealed and the following substituted therefor:

- (*m*) providing for the granting and withdrawing of certificates of approval to approved homes, and fixing the fees payable therefor;

- (*n*) fixing the situation, construction and equipment of approved homes.

R.S.O. 1960,
c. 236, s. 5,
subs. 2,
cl. *na*
(1962-63,
c. 81, s. 2),
repealed

- (7) Clause *na* of subsection 2 of the said section 5, as enacted by section 2 of *The Mental Hospitals Amendment Act, 1962-63*, is repealed.

(8) Clause *ra* of subsection 2 of the said section 5, as enacted by subsection 3 of section 1 of *The Mental Hospitals Amendment Act, 1961-62*, is repealed and the following substituted therefor: R.S.O. 1960, c. 236, s. 5, subs. 2, cl. *ra* (1961-62, c. 79, s. 1, subs. 3), re-enacted

(*ra*) prescribing the amounts that may be paid by the Department to medical practitioners who are not officers of the Department for the examination of persons who are or are believed to be in need of observation, care and treatment in an institution, and prescribing the terms and conditions of such payments;

(*rb*) prescribing the costs and expenses referred to in subsection 1 of section 72.

4. Section 7 of *The Mental Hospitals Act* is repealed and the following substituted therefor: R.S.O. 1960, c. 236, s. 7, re-enacted

7.—(1) Subject to section 6, the officer-in-charge of an institution is in charge of and has control over the institution for which he is appointed, and shall superintend the conduct and management of all its affairs and control all officers, clerks, servants and employees thereof and all the patients therein. Officer-in-charge to control the institution

(2) Where this Act or the regulations require or authorize the officer-in-charge of an institution to do any act, such act may be done by any person whom the officer-in-charge appoints to do such act. Delegation of powers and duties

5. Sections 8 and 9 of *The Mental Hospitals Act* are repealed. R.S.O. 1960, c. 236, ss. 8, 9, repealed

6. Subsections 1 and 3 of section 10 of *The Mental Hospitals Act* are repealed. R.S.O. 1960, c. 236, s. 10, subs. 1, 3, repealed

7. Section 11 of *The Mental Hospitals Act* is repealed and the following substituted therefor: R.S.O. 1960, c. 236, s. 11, re-enacted

11. Every person who contravenes any provision of this Act or the regulations is guilty of an offence and on summary conviction is liable to a fine of not less than \$10 and not more than \$100. Offences and penalties

8. Sections 12, 13, 14 and 15, and section 16 as amended by section 1 of *The Mental Hospitals Amendment Act, 1960-61*, of *The Mental Hospitals Act* are repealed. R.S.O. 1960, c. 236, ss. 12-16, repealed

9. Section 17 of *The Mental Hospitals Act* is repealed and the following substituted therefor: R.S.O. 1960, c. 236, s. 17, re-enacted

Contribu-
tions by
Province

17. The Minister, out of the moneys appropriated by the Legislature for the purpose, may contribute toward the cost of treatment in public hospitals of indigent patients transferred thereto in such amounts, in such manner and under such conditions as are prescribed by the regulations.

R.S.O. 1960,
c. 236, s. 18,
subs. 1,
re-enacted

- 10.** Subsection 1 of section 18 of *The Mental Hospitals Act* is repealed and the following substituted therefor:

Special
inquiry by
Deputy
Minister

- (1) Where the Deputy Minister is authorized by the Minister to institute an inquiry into the management or affairs of an institution, or into any matter in connection therewith, or into the truth of any returns made by any officer thereof and deems that any person should give evidence before him on oath, the Deputy Minister has the same power to summon such person to attend as a witness, to enforce his attendance and to compel him to produce documents and to give evidence as a court in civil cases.

R.S.O. 1960,
c. 236, s. 19,
repealed

- 11.** Section 19 of *The Mental Hospitals Act*, as amended by section 3 of *The Mental Hospitals Amendment Act, 1962-63* and section 1 of *The Mental Hospitals Amendment Act, 1965*, is repealed.

R.S.O. 1960,
c. 236, s. 19a
(1962-63,
c. 81, s. 4),
repealed

- 12.** Section 19a of *The Mental Hospitals Act*, as enacted by section 4 of *The Mental Hospitals Amendment Act, 1962-63*, is repealed.

R.S.O. 1960,
c. 236, s. 20,
repealed

- 13.** Section 20 of *The Mental Hospitals Act* is repealed.

R.S.O. 1960,
c. 236, s. 21
(1965,
c. 71, s. 2),
repealed

- 14.** Section 21 of *The Mental Hospitals Act*, as re-enacted by section 2 of *The Mental Hospitals Amendment Act, 1965*, is repealed.

R.S.O. 1960,
c. 236,
ss. 22-26,
repealed

- 15.** Sections 22, 23, 24, 25 and 26 of *The Mental Hospitals Act* are repealed.

R.S.O. 1960,
c. 236, s. 27,
repealed

- 16.** Section 27 of *The Mental Hospitals Act*, as amended by section 3 of *The Mental Hospitals Amendment Act, 1965*, is repealed.

R.S.O. 1960,
c. 236, s. 27a
(1961-62,
c. 79, s. 3),
repealed

- 17.** Section 27a of *The Mental Hospitals Act*, as enacted by section 3 of *The Mental Hospitals Amendment Act, 1961-62*, is repealed.

R.S.O. 1960,
c. 236, s. 28,
repealed

- 18.** Section 28 of *The Mental Hospitals Act*, as amended by section 5 of *The Mental Hospitals Amendment Act, 1962-63*, is repealed.

19. Section 28a of *The Mental Hospitals Act*, as enacted by section 3 of *The Mental Hospitals Amendment Act, 1961-62*, is repealed. R.S.O. 1960, c. 236, s. 28a (1961-62, c. 79, s. 3), repealed

20. Sections 29, 30, 31, 32, 33, 34, 35, 36 and 37 of *The Mental Hospitals Act* are repealed. R.S.O. 1960, c. 236, ss. 29-37, repealed

21. Section 38 of *The Mental Hospitals Act*, as amended by section 6 of *The Mental Hospitals Amendment Act, 1962-63*, is repealed. R.S.O. 1960, c. 236, s. 38, repealed

22. Sections 39 and 40 of *The Mental Hospitals Act* are repealed. R.S.O. 1960, c. 236, ss. 39-40, repealed

23. Section 40a of *The Mental Hospitals Act*, as enacted by section 5 of *The Mental Hospitals Amendment Act, 1961-62*, is repealed. R.S.O. 1960, c. 236, s. 40a (1961-62, c. 79, s. 5), repealed

24. Sections 41 and 42 of *The Mental Hospitals Act* are repealed and the following substituted therefor: R.S.O. 1960, c. 236, ss. 41, 42, re-enacted

41. The Minister may issue certificates approving of any building, premises or place as an approved home for the reception of patients who are released from an institution into the custody of such home, and entitling any person to receive into the approved home one or more patients as if such home had been established as an institution under this Act. Certificate for approved home

42.—(1) If the officer-in-charge considers it conducive to the recovery of a patient, the officer-in-charge may place the patient in an approved home, subject to this Act and the regulations. Release of patients to approved homes

(2) Subsection 1 does not authorize the placing of a patient in an approved home where he is subject to detention otherwise than under *The Mental Health Act, 1967*. Idem 1967, c. ...

25. Sections 45 and 46 of *The Mental Hospitals Act* are repealed. R.S.O. 1960, c. 236, ss. 45, 46, repealed

26. Section 46a, as enacted by section 5 of *The Mental Hospitals Amendment Act, 1965*, and section 46b, as enacted by section 1 of *The Mental Hospitals Amendment Act, 1966*, of *The Mental Hospitals Act* are repealed. R.S.O. 1960, c. 236, s. 46a (1965, c. 71, s. 5); s. 46b (1966, c. 88, s. 1), repealed

27. Sections 47 and 48 of *The Mental Hospitals Act* are repealed. R.S.O. 1960, c. 236, ss. 47, 48, repealed

28. Section 49 of *The Mental Hospitals Act*, as re-enacted by section 6 of *The Mental Hospitals Amendment Act, 1965*, is repealed. R.S.O. 1960, c. 236, s. 49 (1965, c. 71, s. 6), repealed

R.S.O. 1960, c. 236, ss. 50-61, repealed **29.** Sections 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60 and 61 of *The Mental Hospitals Act* are repealed.

R.S.O. 1960, c. 236, s. 62, repealed **30.** Section 62 of *The Mental Hospitals Act*, as amended by section 7 of *The Mental Hospitals Amendment Act, 1961-62*, is repealed.

R.S.O. 1960, c. 236, ss. 63-67, repealed **31.** Sections 63, 64, 65, 66 and 67 of *The Mental Hospitals Act* are repealed.

R.S.O. 1960, c. 236, s. 68, repealed **32.** Section 68 of *The Mental Hospitals Act*, as amended by section 8 of *The Mental Hospitals Amendment Act, 1961-62*, is repealed.

R.S.O. 1960, c. 236, ss. 69-71, repealed **33.** Sections 69, 70 and 71 of *The Mental Hospitals Act* are repealed.

R.S.O. 1960, c. 236, s. 71a (1962-63, c. 81, s. 7), re-enacted **34.** Section 71a of *The Mental Hospitals Act*, as enacted by section 7 of *The Mental Hospitals Amendment Act, 1962-63*, is repealed and the following substituted therefor:

Industrial
rehabilita-
tion
programmes

71a. The officer-in-charge may establish, maintain, operate and manage industrial rehabilitation programmes for the beneficial employment and remuneration of patients and other persons, and may enter into agreements with respect to such programmes and provide for remuneration in connection therewith.

R.S.O. 1960, c. 236, s. 72, subs. 1, re-enacted **35.** Subsection 1 of section 72 of *The Mental Hospitals Act*, as amended by subsection 1 of section 8 of *The Mental Hospitals Amendment Act, 1962-63*, is repealed and the following substituted therefor:

Liability
of muni-
cipality
1967, c. . . .

(1) The costs and expenses incurred under section 9, 10, 14 or 15 of *The Mental Health Act, 1967* in determining the mental condition of a person and in conveying the person to and from an institution shall be paid by the municipality from which the person came or was sent to an institution in such amounts as are prescribed by the regulations.

R.S.O. 1960, c. 236, s. 73, repealed **36.** Section 73 of *The Mental Hospitals Act* is repealed.

R.S.O. 1960, c. 236, s. 74, subs. 1, 2, re-enacted **37.** Subsections 1 and 2 of section 74 of *The Mental Hospitals Act* are repealed and the following substituted therefor:

Inquiry
regarding
estate

(1) Upon due application for the admission of a person, the officer-in-charge of the institution shall make a full and thorough inquiry respecting the estate,

either in existence or in prospect, of the person and of its sufficiency, free from all claims of his family, to supply the means necessary for his maintenance and clothing in the institution as provided by the regulations.

- (2) The officer-in-charge shall where possible require from the person liable for maintenance of the patient an agreement or bond to secure the payment of the patient's maintenance, either in whole or in part, and the agreement or bond shall continue in force so long as the patient is maintained in an institution. Bond for maintenance

38. Section 78 of *The Mental Hospitals Act* is repealed and the following substituted therefor: R.S.O. 1960, c. 236, s. 78, re-enacted

- 78.—(1) The officer-in-charge of an institution shall send a written notice on the first day of each of the months of January, April, July and October to the person liable for payment of the maintenance of a patient, giving the date of the patient's admission to the institution and the amount that is due and owing for his maintenance as provided by the regulations, and in the notice a demand shall be made by the officer-in-charge upon the person liable for payment of maintenance for such sum as is due and owing, and the sum shall be paid forthwith on the demand. Notice of liability

- (2) In an action or other proceeding to recover a sum owing by a person, municipal corporation or the estate of a person for the maintenance of a patient, it is sufficient to prove that the officer-in-charge sent the notice and demand for payment referred to in subsection 1 within the three months preceding the commencement of the action or other proceeding, and no proof is required that any prior notices or demands for payment were sent. Proof of notice and demand for payment

39. Section 80 of *The Mental Hospitals Act* is repealed. R.S.O. 1960, c. 236, s. 80, repealed

40. Section 81 of *The Mental Hospitals Act*, as re-enacted by section 7 of *The Mental Hospitals Amendment Act, 1965*, is repealed. R.S.O. 1960, c. 236, s. 81 (1965, c. 71, s. 7), repealed

41. Section 82 of *The Mental Hospitals Act*, as amended by section 8 of *The Mental Hospitals Amendment Act, 1965*, is repealed. R.S.O. 1960, c. 236, s. 82, repealed

R.S.O. 1960,
c. 236, s. 83
(1962-63,
c. 81, s. 10),
repealed

42. Section 83 of *The Mental Hospitals Act*, as re-enacted by section 10 of *The Mental Hospitals Amendment Act, 1962-63* and amended by section 9 of *The Mental Hospitals Amendment Act, 1965* and section 2 of *The Mental Hospitals Amendment Act, 1966*, is repealed.

R.S.O. 1960,
c. 236, s. 84,
repealed

43. Section 84 of *The Mental Hospitals Act*, as amended by section 10 of *The Mental Hospitals Amendment Act, 1965*, is repealed.

R.S.O. 1960,
c. 236,
ss. 85, 86,
repealed

44. Sections 85 and 86 of *The Mental Hospitals Act* are repealed.

R.S.O. 1960,
c. 236, s. 87,
repealed

45. Section 87 of *The Mental Hospitals Act*, as amended by section 11 of *The Mental Hospitals Amendment Act, 1965*, is repealed.

R.S.O. 1960,
c. 236,
ss. 88-103,
repealed

46. Sections 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102 and 103 of *The Mental Hospitals Act* are repealed.

R.S.O. 1960,
c. 236,
ss. 104-109
(1961-62,
c. 79, s. 10),
repealed

47. Sections 104, 105, 106, 107, 108 and 109 of *The Mental Hospitals Act*, as re-enacted by section 10 of *The Mental Hospitals Amendment Act, 1961-62*, are repealed.

R.S.O. 1960,
c. 236,
ss. 114, 115,
repealed

48. Sections 114 and 115 of *The Mental Hospitals Act* are repealed.

Status of
present
patients

R.S.O. 1960,
c. 236
1967, c. ...

49.—(1) A patient who immediately before this Act comes into force is in an institution by virtue of section 21, 49 or 51 of *The Mental Hospitals Act* shall be deemed to be an informal patient under *The Mental Health Act, 1967*.

Idem

(2) A patient who immediately before this Act comes into force is in an institution by virtue of section 22, 25, 32, 35 or 73 of *The Mental Hospitals Act* shall be deemed to be an involuntary patient under *The Mental Health Act, 1967*.

Idem

(3) A patient who immediately before this Act comes into force is in an institution by virtue of section 38 of *The Mental Hospitals Act* shall be deemed to be a patient under section 15 of *The Mental Health Act, 1967*.

Where
Public
Trustee to
continue as
committee

50. Where the Public Trustee is immediately before this Act comes into force committee of the estate of a patient, the Public Trustee shall continue as committee as if a certificate of incompetence had been issued and forwarded to the Public Trustee under subsection 3 of section 32 of *The Mental Health Act, 1967*.

51.—(1) A patient who immediately before this Act comes into force is on probationary release shall be deemed to be discharged. Patients
now on
probationary
release
deemed
discharged

(2) Where the estate of a patient discharged by virtue of subsection 1 was immediately before such discharge under the committee-ship of the Public Trustee, a notice of continuance shall be deemed to have been issued under subsection 2 of section 37 of *The Mental Health Act, 1967*. Idem
1967, c. ...

52. This Act comes into force on a day to be named by the Lieutenant Governor by his proclamation. Commence-
ment

53. This Act may be cited as *The Mental Hospitals Amendment Act, 1967*. Short title

An Act to amend
The Mental Hospitals Act

1st Reading

June 5th, 1967

2nd Reading

3rd Reading

MR. DYMOND

BILL 139

5TH SESSION, 27TH LEGISLATURE, ONTARIO
15-16 ELIZABETH II, 1967

An Act to amend The Mental Hospitals Act

MR. DYMOND

BILL 139 *The Mental Hospitals Amendment Act* 1967

An Act to amend The Mental Hospitals Act

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1.—(1) Clause *a* of section 1 of *The Mental Hospitals Act* is repealed and the following substituted therefor: R.S.O. 1960,
c. 236, s. 1,
cl. *a*,
re-enacted

(a) “approved home” means a home to which patients may be released from an institution in the manner provided by this Act and the regulations.

(2) Clauses *e*, *f*, *g*, *h*, *i* and *j* of the said section 1 are repealed and the following substituted therefor: R.S.O. 1960,
c. 236, s. 1,
cls. *e-i*,
repealed;
cl. *j*,
re-enacted

(j) “institution” means an institution under this Act, and includes every approved home connected therewith.

(3) Clauses *k*, *l*, *m* and *n* of the said section 1 are repealed. R.S.O. 1960,
c. 236, s. 1,
cls. *k-n*,
repealed

(4) Clause *o* of the said section 1 is repealed and the following substituted therefor: R.S.O. 1960,
c. 236, s. 1,
cl. *o*,
re-enacted

(o) “Minister” means the Minister of Health;

(oa) “officer-in-charge” means the officer of the Department who is appointed as the superintendent or hospital administrator of an institution.

(5) Clause *q* of the said section 1, as amended by section 1 of *The Mental Hospitals Amendment Act, 1962-63* is repealed. R.S.O. 1960,
c. 236, s. 1,
cl. *q*,
repealed

(6) Clauses *s* and *t* of the said section 1 are repealed. R.S.O. 1960,
c. 236, s. 1,
cls. *s, t*,
repealed

2. Sections 3 and 4 of *The Mental Hospitals Act* are repealed and the following substituted therefor: R.S.O. 1960,
c. 236,
ss. 3, 4,
re-enacted

Names of
institutions

3. Each institution shall be known by such name as the Lieutenant Governor in Council may designate.

Application
of
R.S.O. 1960,
c. 322

4. The Lieutenant Governor in Council may designate any provision of *The Public Hospitals Act* or of the regulations thereunder as being applicable to any institution under this Act.

R.S.O. 1960,
c. 236, s. 5,
subs. 2, cl. *d*,
re-enacted

- 3.**—(1) Clause *d* of subsection 2 of section 5 of *The Mental Hospitals Act* is repealed and the following substituted therefor:

- (*d*) the appointment of officers and employees, and prescribing their powers and duties.

R.S.O. 1960,
c. 236, s. 5,
subs. 2,
cls. *f*, *g*,
repealed

- (2) Clauses *f* and *g* of subsection 2 of the said section 5 are repealed.

R.S.O. 1960,
c. 236, s. 5,
subs. 2,
cl. *h*,
re-enacted

- (3) Clause *h* of subsection 2 of the said section 5 is repealed and the following substituted therefor:

- (*h*) regulating the care, treatment and maintenance of patients.

R.S.O. 1960,
c. 236, s. 5,
subs. 2,
cl. *ha*
(1961-62,
c. 79, s. 1,
subs. 1),
repealed

- (4) Clause *ha* of subsection 2 of the said section 5, as enacted by subsection 1 of section 1 of *The Mental Hospitals Amendment Act, 1961-62*, is repealed.

R.S.O. 1960,
c. 236, s. 5,
subs. 2, cl. *j*,
re-enacted

- (5) Clause *j* of subsection 2 of the said section 5 is repealed and the following substituted therefor:

- (*j*) prescribing the forms relating to patients and all other forms required for the carrying out of this Act and the regulations.

R.S.O. 1960,
c. 236, s. 5,
subs. 2,
cls. *m*, *n*,
re-enacted

- (6) Clauses *m* and *n* of subsection 2 of the said section 5 are repealed and the following substituted therefor:

- (*m*) providing for the granting and withdrawing of certificates of approval to approved homes, and fixing the fees payable therefor;

- (*n*) fixing the situation, construction and equipment of approved homes.

R.S.O. 1960,
c. 236, s. 5,
subs. 2,
cl. *na*
(1962-63,
c. 81, s. 2),
repealed

- (7) Clause *na* of subsection 2 of the said section 5, as enacted by section 2 of *The Mental Hospitals Amendment Act, 1962-63*, is repealed.

(8) Clause *ra* of subsection 2 of the said section 5, as enacted by subsection 3 of section 1 of *The Mental Hospitals Amendment Act, 1961-62*, is repealed and the following substituted therefor:

R.S.O. 1960,
c. 236, s. 5,
subs. 2,
cl. *ra*
(1961-62,
c. 79, s. 1,
subs. 3),
re-enacted

(*ra*) prescribing the amounts that may be paid by the Department to medical practitioners who are not officers of the Department for the examination of persons who are or are believed to be in need of observation, care and treatment in an institution, and prescribing the terms and conditions of such payments;

(*rb*) prescribing the costs and expenses referred to in subsection 1 of section 72.

4. Section 7 of *The Mental Hospitals Act* is repealed and the following substituted therefor:

R.S.O. 1960,
c. 236, s. 7,
re-enacted

7.—(1) Subject to section 6, the officer-in-charge of an institution is in charge of and has control over the institution for which he is appointed, and shall superintend the conduct and management of all its affairs and control all officers, clerks, servants and employees thereof and all the patients therein.

Officer-in-charge to control the institution

(2) Where this Act or the regulations require or authorize the officer-in-charge of an institution to do any act, such act may be done by any person whom the officer-in-charge appoints to do such act.

Delegation of powers and duties

5. Sections 8 and 9 of *The Mental Hospitals Act* are repealed.

R.S.O. 1960,
c. 236,
ss. 8, 9,
repealed

6. Subsections 1 and 3 of section 10 of *The Mental Hospitals Act* are repealed.

R.S.O. 1960,
c. 236, s. 10,
subs. 1, 3,
repealed

7. Section 11 of *The Mental Hospitals Act* is repealed and the following substituted therefor:

R.S.O. 1960,
c. 236, s. 11,
re-enacted

11. Every person who contravenes any provision of this Act or the regulations is guilty of an offence and on summary conviction is liable to a fine of not less than \$10 and not more than \$100.

Offences and penalties

8. Sections 12, 13, 14 and 15, and section 16 as amended by section 1 of *The Mental Hospitals Amendment Act, 1960-61*, of *The Mental Hospitals Act* are repealed.

R.S.O. 1960,
c. 236,
ss. 12-16,
repealed

9. Section 17 of *The Mental Hospitals Act* is repealed and the following substituted therefor:

R.S.O. 1960,
c. 236, s. 17,
re-enacted

Contribu-
tions by
Province

17. The Minister, out of the moneys appropriated by the Legislature for the purpose, may contribute toward the cost of treatment in public hospitals of indigent patients transferred thereto in such amounts, in such manner and under such conditions as are prescribed by the regulations.

R.S.O. 1960,
c. 236, s. 18,
subs. 1,
re-enacted

- 10.** Subsection 1 of section 18 of *The Mental Hospitals Act* is repealed and the following substituted therefor:

Special
inquiry by
Deputy
Minister

- (1) Where the Deputy Minister is authorized by the Minister to institute an inquiry into the management or affairs of an institution, or into any matter in connection therewith, or into the truth of any returns made by any officer thereof and deems that any person should give evidence before him on oath, the Deputy Minister has the same power to summon such person to attend as a witness, to enforce his attendance and to compel him to produce documents and to give evidence as a court in civil cases.

R.S.O. 1960,
c. 236, s. 19,
repealed

- 11.** Section 19 of *The Mental Hospitals Act*, as amended by section 3 of *The Mental Hospitals Amendment Act, 1962-63* and section 1 of *The Mental Hospitals Amendment Act, 1965*, is repealed.

R.S.O. 1960,
c. 236, s. 19a
(1962-63,
c. 81, s. 4),
repealed

- 12.** Section 19a of *The Mental Hospitals Act*, as enacted by section 4 of *The Mental Hospitals Amendment Act, 1962-63*, is repealed.

R.S.O. 1960,
c. 236, s. 20,
repealed

- 13.** Section 20 of *The Mental Hospitals Act* is repealed.

R.S.O. 1960,
c. 236, s. 21
(1965,
c. 71, s. 2),
repealed

- 14.** Section 21 of *The Mental Hospitals Act*, as re-enacted by section 2 of *The Mental Hospitals Amendment Act, 1965*, is repealed.

R.S.O. 1960,
c. 236,
ss. 22-26,
repealed

- 15.** Sections 22, 23, 24, 25 and 26 of *The Mental Hospitals Act* are repealed.

R.S.O. 1960,
c. 236, s. 27,
repealed

- 16.** Section 27 of *The Mental Hospitals Act*, as amended by section 3 of *The Mental Hospitals Amendment Act, 1965*, is repealed.

R.S.O. 1960,
c. 236, s. 27a
(1961-62,
c. 79, s. 3),
repealed

- 17.** Section 27a of *The Mental Hospitals Act*, as enacted by section 3 of *The Mental Hospitals Amendment Act, 1961-62*, is repealed.

R.S.O. 1960,
c. 236, s. 28,
repealed

- 18.** Section 28 of *The Mental Hospitals Act*, as amended by section 5 of *The Mental Hospitals Amendment Act, 1962-63*, is repealed.

19. Section 28a of *The Mental Hospitals Act*, as enacted by section 3 of *The Mental Hospitals Amendment Act, 1961-62*, is repealed. R.S.O. 1960, c. 236, s. 28a (1961-62, c. 79, s. 3), repealed

20. Sections 29, 30, 31, 32, 33, 34, 35, 36 and 37 of *The Mental Hospitals Act* are repealed. R.S.O. 1960, c. 236, ss. 29-37, repealed

21. Section 38 of *The Mental Hospitals Act*, as amended by section 6 of *The Mental Hospitals Amendment Act, 1962-63*, is repealed. R.S.O. 1960, c. 236, s. 38, repealed

22. Sections 39 and 40 of *The Mental Hospitals Act* are repealed. R.S.O. 1960, c. 236, ss. 39-40, repealed

23. Section 40a of *The Mental Hospitals Act*, as enacted by section 5 of *The Mental Hospitals Amendment Act, 1961-62*, is repealed. R.S.O. 1960, c. 236, s. 40a (1961-62, c. 79, s. 5), repealed

24. Sections 41 and 42 of *The Mental Hospitals Act* are repealed and the following substituted therefor: R.S.O. 1960, c. 236, ss. 41, 42, re-enacted

41. The Minister may issue certificates approving of any building, premises or place as an approved home for the reception of patients who are released from an institution into the custody of such home, and entitling any person to receive into the approved home one or more patients as if such home had been established as an institution under this Act. Certificate for approved home

42.—(1) If the officer-in-charge considers it conducive to the recovery of a patient, the officer-in-charge may place the patient in an approved home, subject to this Act and the regulations. Release of patients to approved homes

(2) Subsection 1 does not authorize the placing of a patient in an approved home where he is subject to detention otherwise than under *The Mental Health Act, 1967*. Idem 1967, c. ...

25. Sections 45 and 46 of *The Mental Hospitals Act* are repealed. R.S.O. 1960, c. 236, ss. 45, 46, repealed

26. Section 46a, as enacted by section 5 of *The Mental Hospitals Amendment Act, 1965*, and section 46b, as enacted by section 1 of *The Mental Hospitals Amendment Act, 1966*, of *The Mental Hospitals Act* are repealed. R.S.O. 1960, c. 236, s. 46a (1965, c. 71, s. 5); s. 46b (1966, c. 88, s. 1), repealed

27. Sections 47 and 48 of *The Mental Hospitals Act* are repealed. R.S.O. 1960, c. 236, ss. 47, 48, repealed

28. Section 49 of *The Mental Hospitals Act*, as re-enacted by section 6 of *The Mental Hospitals Amendment Act, 1965*, is repealed. R.S.O. 1960, c. 236, s. 49 (1965, c. 71, s. 6), repealed

R.S.O. 1960,
c. 236,
ss. 50-61,
repealed **29.** Sections 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60 and 61 of *The Mental Hospitals Act* are repealed.

R.S.O. 1960,
c. 236, s. 62,
repealed **30.** Section 62 of *The Mental Hospitals Act*, as amended by section 7 of *The Mental Hospitals Amendment Act, 1961-62*, is repealed.

R.S.O. 1960,
c. 236,
ss. 63-67,
repealed **31.** Sections 63, 64, 65, 66 and 67 of *The Mental Hospitals Act* are repealed.

R.S.O. 1960,
c. 236, s. 68,
repealed **32.** Section 68 of *The Mental Hospitals Act*, as amended by section 8 of *The Mental Hospitals Amendment Act, 1961-62*, is repealed.

R.S.O. 1960,
c. 236,
ss. 69-71,
repealed **33.** Sections 69, 70 and 71 of *The Mental Hospitals Act* are repealed.

R.S.O. 1960,
c. 236, s. 71a
(1962-63,
c. 81, s. 7),
re-enacted **34.** Section 71a of *The Mental Hospitals Act*, as enacted by section 7 of *The Mental Hospitals Amendment Act, 1962-63*, is repealed and the following substituted therefor:

Industrial
rehabilita-
tion
programmes

71a. The officer-in-charge may establish, maintain, operate and manage industrial rehabilitation programmes for the beneficial employment and remuneration of patients and other persons, and may enter into agreements with respect to such programmes and provide for remuneration in connection therewith.

R.S.O. 1960,
c. 236, s. 72,
subs. 1,
re-enacted **35.** Subsection 1 of section 72 of *The Mental Hospitals Act*, as amended by subsection 1 of section 8 of *The Mental Hospitals Amendment Act, 1962-63*, is repealed and the following substituted therefor:

Liability
of muni-
cipality
1967, c. ...

(1) The costs and expenses incurred under section 9, 10, 14 or 15 of *The Mental Health Act, 1967* in determining the mental condition of a person and in conveying the person to and from an institution shall be paid by the municipality from which the person came or was sent to an institution in such amounts as are prescribed by the regulations.

R.S.O. 1960,
c. 236, s. 73,
repealed **36.** Section 73 of *The Mental Hospitals Act* is repealed.

R.S.O. 1960,
c. 236, s. 74,
subss. 1, 2,
re-enacted **37.** Subsections 1 and 2 of section 74 of *The Mental Hospitals Act* are repealed and the following substituted therefor:

Inquiry
regarding
estate

(1) Upon due application for the admission of a person, the officer-in-charge of the institution shall make a full and thorough inquiry respecting the estate,

either in existence or in prospect, of the person and of its sufficiency, free from all claims of his family, to supply the means necessary for his maintenance and clothing in the institution as provided by the regulations.

- (2) The officer-in-charge shall where possible require from the person liable for maintenance of the patient an agreement or bond to secure the payment of the patient's maintenance, either in whole or in part, and the agreement or bond shall continue in force so long as the patient is maintained in an institution. Bond for maintenance

38. Section 78 of *The Mental Hospitals Act* is repealed and the following substituted therefor: R.S.O. 1960, c. 236, s. 78, re-enacted

- 78.—(1) The officer-in-charge of an institution shall send a written notice on the first day of each of the months of January, April, July and October to the person liable for payment of the maintenance of a patient, giving the date of the patient's admission to the institution and the amount that is due and owing for his maintenance as provided by the regulations, and in the notice a demand shall be made by the officer-in-charge upon the person liable for payment of maintenance for such sum as is due and owing, and the sum shall be paid forthwith on the demand. Notice of liability

- (2) In an action or other proceeding to recover a sum owing by a person, municipal corporation or the estate of a person for the maintenance of a patient, it is sufficient to prove that the officer-in-charge sent the notice and demand for payment referred to in subsection 1 within the three months preceding the commencement of the action or other proceeding, and no proof is required that any prior notices or demands for payment were sent. Proof of notice and demand for payment

39. Section 80 of *The Mental Hospitals Act* is repealed. R.S.O. 1960, c. 236, s. 80, repealed

40. Section 81 of *The Mental Hospitals Act*, as re-enacted by section 7 of *The Mental Hospitals Amendment Act, 1965*, is repealed. R.S.O. 1960, c. 236, s. 81 (1965, c. 71, s. 7), repealed

41. Section 82 of *The Mental Hospitals Act*, as amended by section 8 of *The Mental Hospitals Amendment Act, 1965*, is repealed. R.S.O. 1960, c. 236, s. 82, repealed

R.S.O. 1960,
c. 236, s. 83
(1962-63,
c. 81, s. 10),
repealed **42.** Section 83 of *The Mental Hospitals Act*, as re-enacted by section 10 of *The Mental Hospitals Amendment Act, 1962-63* and amended by section 9 of *The Mental Hospitals Amendment Act, 1965* and section 2 of *The Mental Hospitals Amendment Act, 1966*, is repealed.

R.S.O. 1960,
c. 236, s. 84,
repealed **43.** Section 84 of *The Mental Hospitals Act*, as amended by section 10 of *The Mental Hospitals Amendment Act, 1965*, is repealed.

R.S.O. 1960,
c. 236,
ss. 85, 86,
repealed **44.** Sections 85 and 86 of *The Mental Hospitals Act* are repealed.

R.S.O. 1960,
c. 236, s. 87,
repealed **45.** Section 87 of *The Mental Hospitals Act*, as amended by section 11 of *The Mental Hospitals Amendment Act, 1965*, is repealed.

R.S.O. 1960,
c. 236,
ss. 88-103,
repealed **46.** Sections 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102 and 103 of *The Mental Hospitals Act* are repealed.

R.S.O. 1960,
c. 236,
ss. 104-109
(1961-62,
c. 79, s. 10),
repealed **47.** Sections 104, 105, 106, 107, 108 and 109 of *The Mental Hospitals Act*, as re-enacted by section 10 of *The Mental Hospitals Amendment Act, 1961-62*, are repealed.

R.S.O. 1960,
c. 236,
ss. 114, 115,
repealed **48.** Sections 114 and 115 of *The Mental Hospitals Act* are repealed.

Status of
present
patients
R.S.O. 1960,
c. 236
1967, c. ... **49.—**(1) A patient who immediately before this Act comes into force is in an institution by virtue of section 21, 49 or 51 of *The Mental Hospitals Act* shall be deemed to be an informal patient under *The Mental Health Act, 1967*.

Idem (2) A patient who immediately before this Act comes into force is in an institution by virtue of section 22, 25, 32, 35 or 73 of *The Mental Hospitals Act* shall be deemed to be an involuntary patient under *The Mental Health Act, 1967*.

Idem (3) A patient who immediately before this Act comes into force is in an institution by virtue of section 38 of *The Mental Hospitals Act* shall be deemed to be a patient under section 15 of *The Mental Health Act, 1967*.

Where
Public
Trustee to
continue as
committee **50.** Where the Public Trustee is immediately before this Act comes into force committee of the estate of a patient, the Public Trustee shall continue as committee as if a certificate of incompetence had been issued and forwarded to the Public Trustee under subsection 3 of section 32 of *The Mental Health Act, 1967*.

51.—(1) A patient who immediately before this Act comes into force is on probationary release shall be deemed to be discharged. Patients now on probationary release deemed discharged

(2) Where the estate of a patient discharged by virtue of subsection 1 was immediately before such discharge under the committee-ship of the Public Trustee, a notice of continuance shall be deemed to have been issued under subsection 2 of section 37 of *The Mental Health Act, 1967*. idem 1967, c. ...

52. This Act comes into force on a day to be named by the Lieutenant Governor by his proclamation. Commencement

53. This Act may be cited as *The Mental Hospitals Amendment Act, 1967*. Short title

An Act to amend
The Mental Hospitals Act

1st Reading

June 5th, 1967

2nd Reading

June 9th, 1967

3rd Reading

June 12th, 1967

MR. DYMOND

BILL 140

5TH SESSION, 27TH LEGISLATURE, ONTARIO
15-16 ELIZABETH II, 1967

An Act to repeal The Psychiatric Hospitals Act

MR. DYMOND

THE MENTAL HEALTH ACT, 1967
(1967, 1968)

THE MENTAL HEALTH ACT, 1967

EXPLANATORY NOTE

This Act will be obsolete when *The Mental Health Act, 1967* is proclaimed in force. It is, therefore, repealed on proclamation.

1967, 1968

BILL 140

1967

An Act to repeal The Psychiatric Hospitals Act

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. *The Psychiatric Hospitals Act, The Psychiatric Hospitals Amendment Act, 1962-63 and The Psychiatric Hospitals Amendment Act, 1966* are repealed. R.S.O. 1960, c. 315; 1962-63, c. 111; 1966, c. 123, repealed

2. This Act comes into force on a day to be named by the Lieutenant Governor by his proclamation. Commencement

3. This Act may be cited as *The Psychiatric Hospitals Repeal Act, 1967*. Short title

An Act to repeal
The Psychiatric Hospitals Act

1st Reading

June 5th, 1967

2nd Reading

3rd Reading

MR. DYMOND

BILL 140

5TH SESSION, 27TH LEGISLATURE, ONTARIO
15-16 ELIZABETH II, 1967

An Act to repeal The Psychiatric Hospitals Act

MR. DYMOND

BILL 140

1967

An Act to repeal The Psychiatric Hospitals Act

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. *The Psychiatric Hospitals Act, The Psychiatric Hospitals Amendment Act, 1962-63 and The Psychiatric Hospitals Amendment Act, 1966* are repealed. R.S.O. 1960, c. 315; 1962-63, c. 111; 1966, c. 123, repealed

2. This Act comes into force on a day to be named by the Lieutenant Governor by his proclamation. Commencement

3. This Act may be cited as *The Psychiatric Hospitals Repeal Act, 1967*. Short title

An Act to repeal
The Psychiatric Hospitals Act

1st Reading

June 5th, 1967

2nd Reading

June 9th, 1967

3rd Reading

June 12th, 1967

MR. DYMOND

BILL 141

**5TH SESSION, 27TH LEGISLATURE, ONTARIO
15-16 ELIZABETH II, 1967**

An Act to amend The Corporations Act

MR. ROBARTS

Approved: _____
Date: _____

26. _____

EXPLANATORY NOTE

GENERAL. This Bill implements the recommendations of the Select Committee on Company Law contained in chapters VII, VIII, X and XI of its 1967 Interim Report.

BILL 141

1967

An Act to amend The Corporations Act

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Section 1 of *The Corporations Act*, as amended by section 1 of *The Corporations Amendment Act, 1966*, is further amended by relettering clause *aa* as clause *ab* and by adding thereto the following clause:

(*aa*) "capital securities" means any share of any class of shares of a company or any bond, debenture, note or other obligation of a company, whether secured or unsecured;

2. Section 65 of *The Corporations Act* is repealed.

R.S.O. 1960,
c. 71, s. 65,
repealed

3. Subsection 1 of section 66 of *The Corporations Act* is repealed and the following substituted therefor:

R.S.O. 1960,
c. 71, s. 66,
subs. 1,
re-enacted

(1) The shareholders may, by resolution passed by a majority of the votes cast at a general meeting duly called for that purpose, remove any director before the expiration of his term of office and may, by a majority of the votes cast at the meeting, elect any person in his place for the remainder of his term unless the directors have been elected by the method of voting provided by section 64, in which case no director shall be removed from office where the votes cast against the resolution for his removal would, if cumulatively voted at an election of the full board of directors, be sufficient to elect one or more directors.

Removal of
directors

4. *The Corporations Act* is amended by adding thereto the following sections:

R.S.O. 1960,
c. 71,
amended

69a. Every director of a company shall exercise the powers and discharge the duties of his office honestly, in good faith and in the best interests of the company,

Standards
of care, etc.,
of directors

and in connection therewith shall exercise the degree of care, diligence and skill that a reasonably careful, diligent and skilful director would exercise in comparable circumstances.

Representative actions on behalf of company

69b.—(1) Subject to subsection 2, a shareholder of a company may maintain an action in a representative capacity for himself and all other shareholders of the company suing for and on behalf of the company to enforce any right, duty or obligation owed to the company under this Act or under any other statute or rule of law or equity that could be enforced by the company itself, or to obtain damages for any breach of any such right, duty or obligation.

Idem

(2) An action under subsection 1 shall not be commenced until the shareholder has obtained an order from a judge of the High Court designated by the Chief Justice of the High Court permitting the shareholder to commence the action.

Application for order to commence action

(3) Upon *ex parte* application by a shareholder, a judge of the High Court designated by the Chief Justice of the High Court, if the judge is satisfied that,

(a) the shareholder was a shareholder of the company at the time of the transaction or other event giving rise to the cause of action;

(b) the shareholder has made reasonable efforts to cause the company to commence or prosecute diligently the action on its own behalf; and

(c) the shareholder is acting *bona fide* and it is *prima facie* in the interests of the company or its shareholders that the action be commenced,

may make an order, upon such terms as to the judge seem fit except that the order shall not require the shareholder to give security for costs, permitting the shareholder to commence the action.

Application for order for interim costs

(4) At any time or from time to time while an action commenced under this section is pending, the plaintiff may apply to the judge of the High Court who made the order required by subsection 2 or to another judge of the High Court designated by the Chief

Justice of the High Court for an order for the payment to the plaintiff by the company of reasonable interim costs, including solicitor's and counsel fees and disbursements, for which interim costs the plaintiff will be accountable to the company if the action is dismissed with costs on final disposition at the trial or on appeal.

- (5) An action commenced under this section shall be ^{Trial and judgment} tried by the judge of the High Court who made the order required by subsection 2 or by another judge of the High Court designated by the Chief Justice of the High Court, and his judgment or order in the cause, unless the action is dismissed with costs, may include a provision that the reasonable costs of the action may be payable to the plaintiff by the company or other defendants taxed as between a solicitor and his own client.
- (6) An action commenced under this section shall not be ^{Discontinuance and settlement} discontinued or settled without the approval of the judge of the High Court who made the order required by subsection 2 or by another judge of the High Court, and, if the judge determines that the interests of the shareholders or any class thereof may be substantially affected by such discontinuance or settlement, the judge, in his discretion, may direct that notice in manner, form and content satisfactory to him shall be given, at the expense of the company or any other party to the action as the judge shall direct, to the shareholders or class thereof whose interests he determines will be so affected.

5. Section 70 of *The Corporations Act* is repealed and the following substituted therefor: ^{R.S.O. 1960, c. 71, s. 70, re-enacted}

- 70.—(1) Every director of a company who has, directly or indirectly, any interest in any contract or transaction to which the company is or is to be a party, other than a contract or transaction limited solely to his remuneration as a director, officer or employee, shall declare his interest in such contract or transaction at a meeting of the directors of the company and shall at that time disclose the nature and extent of such interest including, as to any contract or transaction involving the purchase and sale of assets, the cost thereof to the seller if acquired by the seller within five years before the date of the contract or transaction. ^{Disclosure by directors of interests in contracts}

When
declaration
of interest
to be made

- (2) The declaration required by this section shall be made at the meeting of the directors at which the contract or transaction is first considered or, if the director is not at the date of such meeting interested in the contract or transaction, at the next meeting of the directors held after he becomes so interested, and, where the director becomes interested in a contract or transaction after it is entered into, the declaration shall be made at the first meeting of the directors held after he becomes so interested.

Effect of
declaration

- (3) If a director has made a declaration and disclosure of his interest in a contract or transaction in compliance with this section and has not voted in respect of the contract or transaction at the meeting of the directors of the company, the director, if he is acting honestly and in good faith, is not by reason only of his holding the office of director accountable to the company or to its shareholders for any profit or gain realized from the contract or transaction, and the contract or transaction, if it is in the best interests of the company, is not voidable by reason only of the director's interest therein.

Confirma-
tion by
shareholders

- (4) Notwithstanding anything in this section, a director, if he is acting honestly and in good faith, is not accountable to the company or to its shareholders for any profit or gain realized from any such contract or transaction by reason only of his holding the office of director, and the contract or transaction, if it is in the best interests of the company, is not by reason only of the director's interest therein voidable if the contract or transaction is confirmed or approved by a majority of the votes cast at a general meeting of the shareholders duly called for that purpose if the nature and extent of the director's interest in the contract or transaction is declared and disclosed in reasonable detail in the notice calling the meeting or in the information circular required by section 75c.

R.S.O. 1960,
c. 71, s. 72.
re-enacted

6. Section 72 of *The Corporations Act* is repealed and the following substituted therefor:

Indemnifi-
cation of
directors

- 72.—(1) Subject to subsection 2, the by-laws of a company may provide that every director of the company and his heirs, executors, administrators and other legal personal representatives may from time to time be indemnified and saved harmless by the company from and against,

(a) all costs, charges and expenses that he sustains or incurs in respect of any action, suit or proceeding that is proposed or commenced against him for or in respect of anything done or permitted by him in respect of the execution of the duties of his office; and

(b) all other costs, charges and expenses that he sustains or incurs in respect of the affairs of the company.

(2) No director of a company shall be indemnified by ^{Idem} the company in respect of any costs, charges and expenses that he sustains or incurs in or about any action, suit or other proceeding as a result of which he is adjudged to be in breach of any duty or responsibility imposed upon him under this Act or under any other statute or rule of law or equity unless, in an action brought against him in his capacity as director, he has achieved complete or substantial success as a defendant.

7. Subsection 4 of section 80 of *The Corporations Act* is ^{R.S.O. 1960,} repealed and the following substituted therefor: ^{c. 71, s. 80,}
^{subs. 4,}
^{re-enacted}

(4) The shareholders may, by resolution passed by a majority of the votes cast at a general meeting duly called for the purpose, remove an auditor before the expiration of his term of office, and shall by a majority of the votes cast at that meeting appoint another auditor in his place for the remainder of his term. ^{Removal of auditor}

(4a) Before calling a general meeting for the purpose specified in subsection 4, the company shall, at least fifteen days before the mailing of the notice of the meeting, give to the auditor of the company, ^{Notice to auditor}

(a) written notice of the intention to call the meeting, specifying therein the date on which the notice of the meeting is proposed to be mailed; and

(b) a copy of all material proposed to be sent to shareholders in connection with the meeting.

(4b) The auditor has the right to make to the company, ^{Right of auditor to make representations} at least three days before the mailing of the notice of the meeting, representations in writing, not exceeding 1000 words in length, concerning his proposed

removal as auditor, and the company, at its expense, shall forward with the notice of the meeting a copy of such representations to each shareholder entitled to receive notice of the meeting.

R.S.O. 1960,
c. 71,
amended

8. *The Corporations Act* is amended by adding thereto the following section:

Notice to
auditor of
proposal to
appoint
another

80a.—(1) If in the information circular required by subsection 1 of section 75c reference is made to action proposed to be taken at an annual meeting of shareholders with respect to the appointment of an auditor other than the incumbent auditor, the company shall, at least fifteen days before the mailing of the notice of the meeting, give to the incumbent auditor written notice of management's intention not to recommend his re-appointment at the annual meeting, specifying therein the date on which the notice of the meeting is proposed to be mailed.

Right of
incumbent
auditor
to make
representa-
tions

(2) The incumbent auditor has the right to make to the company, at least three days before the mailing of the notice of the meeting, representations in writing, not exceeding 1000 words in length, concerning the proposal not to re-appoint him as auditor, and the company, at its expense, shall forward with the notice of the meeting a copy of such representations to each shareholder entitled to receive notice of the meeting.

R.S.O. 1960,
c. 71, s. 81,
re-enacted

9. Section 81 of *The Corporations Act*, as amended by section 2 of *The Corporations Amendment Act, 1962-63*, is repealed and the following substituted therefor:

Persons
disqualified
as auditors

81.—(1) No person shall be appointed auditor of a company who is a director, officer or employee of the company or of an affiliate of the company or who is a partner, employer or employee of any such director, officer or employee or who is a related person to any director or officer of the company or of an affiliate of the company.

Auditors
disqualified
to make
report to
annual
meeting

(2) No auditor of a company shall make a report under subsection 2 of section 82 if such auditor, or any partner or employer of or related person to any such auditor, beneficially owns, directly or indirectly, any capital securities of the company and, if the company is a subsidiary, any capital securities of its holding company.

- (3) For the purpose of this section, "related person", ^{Related person defined} where used to indicate a relationship with any person, means,

- (a) any relative or spouse of such person or any relative of such spouse who, in any such case, has the same home as such person; or
- (b) any company of which such person and any of the persons referred to in clause *a* or the partner or employer of such person, either alone or in combination, beneficially owns, directly or indirectly, more than 50 per cent of the voting rights attached to all equity shares of the company for the time being outstanding.

- (4) Subsection 2 does not apply to an auditor, partner, ^{Where subs. 2 does not apply} employer or related person, as the case may be, if the auditor, partner, employer or related person is not empowered to decide whether capital securities of the company or its holding company, as the case may be, are to be beneficially owned, directly or indirectly, by him.

- (5) An auditor of a company to whom subsection 2 ^{Disposal of interest} applies, or his partner, employer or related person, as the case may be, shall sell or otherwise dispose of the capital securities of the company or holding company, as the case may be, so owned within two years of the date of the coming into force of this section, and, during such period and notwithstanding subsection 2, he may make the report required under subsection 2 of section 82 if he discloses in his report that he or his partner, employer or a related person, as the case may be, so owns such capital securities.

- (6) No person shall be appointed a receiver or a receiver ^{Auditors not to be appointed receivers, etc.} and manager or liquidator or trustee in bankruptcy of any company of which he is the auditor or has been the auditor within the two preceding years.

10. Section 82 of *The Corporations Act*, as amended by ^{R.S.O. 1960, c. 71, s. 82, amended} section 2 of *The Corporations Amendment Act, 1964* and by section 6 of *The Corporations Amendment Act, 1966*, is further amended by adding thereto the following subsections:

- (2b) Whether or not the assets and liabilities and income ^{Idem} and expense of any one or more subsidiaries of a holding company are included in the financial statement of the holding company, the report of the

auditor of the holding company required by subsection 2 may refer to the reports of auditors of one or more of such subsidiaries, but such reference shall not derogate from the duty of the auditor of the holding company to comply with subsection 2.

Idem

- (4a) The auditor of a holding company has right of access at all times to all records, documents, books, accounts and vouchers of all subsidiaries of the company and is entitled to require from the directors and officers of each such subsidiary such information and explanation as in his opinion are necessary to enable him to report as required by subsection 2.

Shareholder
may require
attendance
at share-
holders
meetings

- (6) Any shareholder of a company, whether or not he is entitled to vote at meetings of shareholders, may, by notice in writing to the company given at least five days before any meeting of shareholders, require the attendance of the auditor at such meeting at the company's expense, and in such event the auditor shall attend the meeting.

Auditors
must
answer
inquiries at
shareholders
meetings

- (7) At any meeting of shareholders the auditor, if present, shall answer inquiries directed to him concerning the bases upon which he formed the opinion stated in the report made under subsection 2.

R.S.O. 1960,
c. 71, s. 87,
subs. 2,
amended

11. Subsection 2 of section 87 of *The Corporations Act*, as amended by subsection 2 of section 3 of *The Corporations Amendment Act, 1962-63* and by section 11 of *The Corporations Amendment Act, 1966*, is further amended by adding thereto the following item:

16. Brief particulars of any action commenced against the company under section 69b.

R.S.O. 1960,
c. 71, s. 92,
re-enacted

12. Section 92 of *The Corporations Act* is repealed and the following substituted therefor:

Audit
committee

- 92.—(1) The directors of a company that has issued capital securities that have been distributed in the course of a primary distribution to the public in Ontario shall appoint from among their number a committee to be known as the audit committee to be

composed of not fewer than three directors, of whom a majority shall not be officers of the company or of an affiliate of the company.

- (2) The financial statement shall be submitted to the audit committee for its review and shall thereafter be approved by the board of directors, such approval to be evidenced by the signature at the foot of the balance sheet by two of the directors duly authorized to sign, and the auditor's report shall be attached to or accompany the financial statement.

Submission
of financial
statement
to audit
committee
and
approval
by board

- (3) The auditor has the right and may be required to appear before any meeting of the audit committee, and shall be given an opportunity to be heard.

Rights and
duties of
auditor at
meetings
of audit
committee

13. Subsection 1 of section 308 of *The Corporations Act* is repealed and the following substituted therefor:

R.S.O. 1960,
c. 71, s. 308,
subs. 1,
re-enacted

- (1) Shareholders of a corporation holding not less than one-twentieth of its issued shares that carry the right to vote at the meeting proposed to be held, or not less than one-twentieth of the members of a corporation who are entitled to vote at the meeting proposed to be held, may requisition the directors to call a general meeting of the shareholders or members for any purpose that is connected with the affairs of the corporation and that is not inconsistent with this Act.

Requisition
for meeting

- (1a) Upon application by a shareholder or member of a corporation, a judge of the High Court designated by the Chief Justice of the High Court, if satisfied that the application is *bona fide* and that it is *prima facie* in the interests of the corporation or its shareholders or members that the meeting be held on requisition, may make an order, upon such terms as to security for the costs of holding the meeting or otherwise as to the judge seem fit, requiring the directors to call a general meeting of the shareholders or members for any purpose that is connected with the affairs of the corporation and that is not inconsistent with this Act.

Idem, on
judge's
order

14. Section 321 of *The Corporations Act* is repealed and the following substituted therefor:

R.S.O. 1960,
c. 71, s. 321,
re-enacted

Investiga-
tions and
audits

321.—(1) Upon application by a shareholder or member of a corporation or by the Provincial Secretary, a judge of the High Court designated by the Chief Justice of the High Court, if satisfied that the application is *bona fide* and that it is *prima facie* in the interests of the corporation or the holders of its capital securities or members to do so, may make an order, upon such terms as to the costs of the investigation or audit or otherwise as to the judge seem fit, appointing an inspector to investigate the affairs and management of the corporation or any affiliate of the corporation and to audit the books and accounts of the corporation or any affiliate.

Idem

(2) An order may be made under subsection 1 whether or not there has been disclosure to the shareholders or members of the corporation of information relating to any matter on the basis of which the order is made.

Production
of books
and records

(3) The directors, officers and agents of the corporation or of any affiliate of the corporation shall produce for the examination of the inspector all books and records of the corporation or any affiliate in their custody or control.

Idem

(4) The bankers and auditor of the corporation or of any affiliate shall produce for the examination of the inspector all books and records in their custody or control relating to the corporation or any affiliate.

Examina-
tion may
be upon
oath

(5) The inspector may examine upon oath the directors, officers, agents and employees of the corporation or any affiliate in relation to its affairs and management.

Offences

(6) Every director, officer or agent who refuses to produce any book or record referred to in subsection 3 and every banker or auditor who refuses to produce any book or record referred to in subsection 4 and every person examined under subsection 5 who refuses to answer any question related to the affairs and management of the corporation or any affiliate is guilty of an offence and on summary conviction is liable to a fine of not more than \$1,000.

Inspector's
report

(7) The inspector shall make a report to the judge who made the order under subsection 1, and a copy of

the report shall be forwarded by the inspector to the corporation and to the person who made the application under subsection 1.

15. Subsection 1a of section 326 of *The Corporations Act*, R.S.O. 1960, c. 71, s. 326, as enacted by section 11 of *The Corporations Amendment Act, 1962-63*, is repealed and the following substituted therefor: subs. 1a (1962-63, c. 24, s. 11), re-enacted

- 1a) The Provincial Secretary, under such circumstances and at any time as he in his discretion thinks advisable, may authorize any officer of the Department of the Provincial Secretary to conduct an inquiry for the purpose of determining, in the case of a corporation without share capital or of a corporation that has objects in whole or in part of a social nature, whether or not there is sufficient cause for the making of an order under subsection 1. Inquiry by Provincial Secretary

16. *The Corporations Act* is amended by adding thereto the following Part: R.S.O. 1960, c. 71, amended

PART X

INDENTURE TRUSTEES

360.—(1) In this Part, Interpretation

- (a) "trust indenture" means any deed, indenture or document howsoever designated by the terms of which a company issues bonds, debentures, notes or other obligations, whether secured or unsecured, and in which a trustee is named as trustee for the holders of the capital securities issued thereunder;

- (b) "trustee" means any person named as trustee under the terms of a trust indenture, whether or not the person is a trust company authorized to carry on business in Ontario.

- (2) In this Part, conflict of interest is a question of fact *Idem* to be determined by the circumstances of each case.

361. Trust indentures to which a company is a party as an issuer or guarantor of bonds, debentures, notes or other obligations and trust indentures that are expressed to be governed by the laws of Ontario shall contain or, if they do not, shall be deemed to contain provisions substantially to the following effect: Contents of trust indentures

1. In the exercise of the duties, rights and obligations prescribed or conferred by the terms of the trust indenture, the trustee shall exercise that degree of care, diligence and skill which a reasonably prudent trustee would exercise in comparable circumstances.
2. A person shall not be appointed a trustee under a trust indenture if a conflict of interest exists in the trustee's role as a fiduciary thereunder, and a trustee under a trust indenture shall resign from office in the event that a conflict of interest subsequently arises.
3. In the exercise of his duties, rights and obligations the trustee may, if he is acting in good faith, conclusively rely as to the truth of the statements and accuracy of the opinions expressed therein, upon certificates or opinions conforming to the requirements of the trust indenture if the indenture contains provisions complying with section 362.
4. The trustee shall be required to give to the holders of capital securities issued under the trust indenture, within thirty days after the occurrence thereof, notice of every event of default arising under the trust indenture known to the trustee unless the trustee in good faith determines that the withholding of such notice is in the best interests of the security holders and so advises the company in writing.

Provisions
which trust
indentures
must
contain

362.—(1) A trust indenture to which this Part applies shall contain provisions substantially to the following effect:

1. The company which is the issuer or guarantor of the capital securities issued under the trust indenture shall furnish to the trustee evidence of compliance with every covenant or condition specified in the trust indenture relating to the certification and delivery of capital securities under the trust indenture, relating to the release or release and substitution of property subject to any mortgage, charge, lien or other encumbrance created by the trust indenture, relating to the satisfaction and discharge of the trust indenture, relating to

the issuance of additional capital securities thereunder and in respect of any other action or step required to be taken by the trustee.

2. Evidence of compliance referred to in item 1 shall consist of,

- (a) certificates or opinions made or given by officers of the company whom the trust indenture authorizes or requires to give such certificates or opinions stating that the covenant or condition has been complied with in accordance with the terms of the trust indenture;
- (b) an opinion of counsel, who may be counsel for the company, stating that in his opinion the covenant or condition has been complied with in accordance with the terms of the trust indenture; and
- (c) in the case of a covenant or condition compliance with which is subject to the review or examination by auditors or accountants, an opinion or report of the auditor of the company or an independent accountant or accountants licensed under *The Public Accountancy Act*, in each case approved by the trustee, as to the accuracy or reliability of the statements required to be reviewed or examined and whether or not the statements have been made in accordance with the terms of the trust indenture.

R.S.O. 1980,
c. 317

3. A certificate, opinion or report required under clause *a* of item 2 shall include,

- (a) a statement by the person making or giving such certificate, opinion or report that he has read and is familiar with the covenant or condition;
- (b) a brief statement of the nature and scope of the examination or investigation upon which the statements or opinions contained in the certificate, opinion or report are based;

(c) a statement that, in the opinion of the person making or giving the certificate, opinion or report, he has made such examination or investigation as is necessary to enable him to express an opinion whether the covenant or condition has been complied with; and

(d) a statement whether in the opinion of such person the covenant or condition has been complied with.

Additional provisions may be included

(2) Nothing in this section prevents the inclusion in a trust indenture of provisions requiring evidence of compliance with covenants or conditions in addition to those specified in this section.

Provisions which trust indentures must not contain

363. A trust indenture to which this Part applies shall not contain any provision relieving the trustee from liability arising thereunder, except that under the terms of the trust indenture the trustee may conclusively rely as to the truth of the statements and the accuracy of the opinions expressed therein, upon certificates, opinions or reports conforming to the requirements of section 362, if the trustee acts in good faith and examines the evidence furnished to it pursuant to section 362 in order to determine whether such evidence conforms to the applicable requirements of the trust indenture.

Trustees under trust indentures not to be appointed receivers, etc.

364. A trustee under a trust indenture to which this Part applies shall not be appointed a receiver or receiver and manager or liquidator of the assets or undertaking of the company that issued or guaranteed the capital securities under the trust indenture.

Where ss. 361-363 do not apply

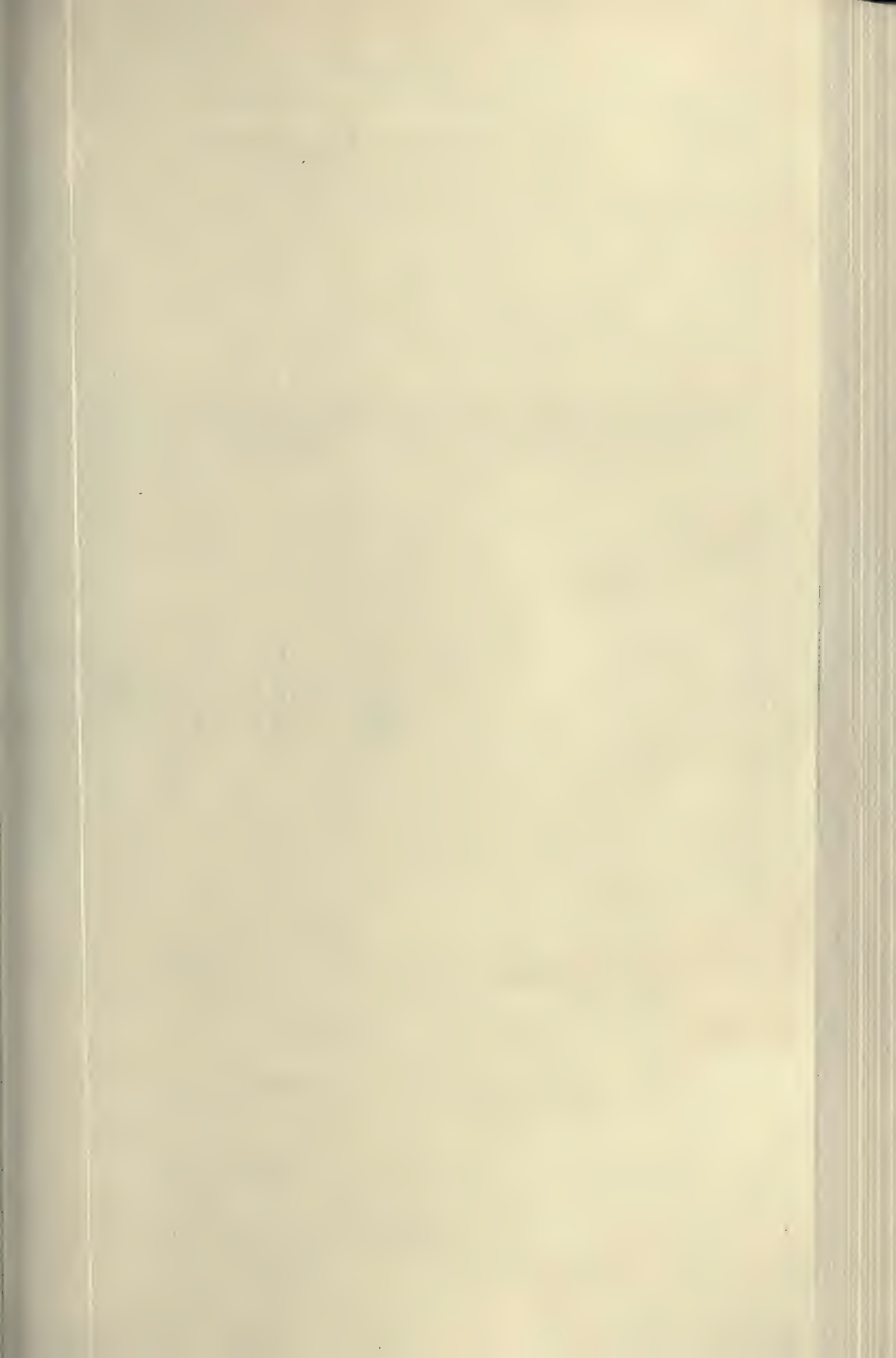
365. Sections 361, 362 and 363 do not apply to any trust indenture entered into before the coming into force of this Part.

Commencement

17. This Act comes into force on a day to be named by the Lieutenant Governor by his proclamation.

Short title

18. This Act may be cited as *The Corporations Amendment Act, 1967*.



An Act to amend The Corporations Act

1st Reading

June 9th, 1967

2nd Reading

3rd Reading

MR. ROBARTS

BILL 142

5TH SESSION, 27TH LEGISLATURE, ONTARIO
15-16 ELIZABETH II, 1967

An Act for granting to Her Majesty certain sums of money
for the Public Service for the fiscal years ending the 31st day
of March, 1967, and the 31st day of March, 1968

MR. MACNAUGHTON

BILL 142

1967

An Act for granting to Her Majesty certain sums of money for the Public Service for the fiscal years ending the 31st day of March, 1967, and the 31st day of March, 1968

MOST GRACIOUS SOVEREIGN:

WHEREAS it appears by messages from the Honourable William Earl Rowe, Lieutenant Governor of the Province of Ontario, and the estimates accompanying the same, that the sums mentioned in the schedules to this Act are required to defray certain expenses of the public service of this Province, not otherwise provided for, for the fiscal year ending the 31st day of March, 1967, and for the fiscal year ending the 31st day of March, 1968, and for other purposes connected with the public service; may it therefore please Your Majesty that it be enacted and it is hereby enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, as follows:

Preamble

1. In addition to the sum of \$1,840,626,500 granted by *The Supply Act, 1966*, there may be paid out of the Consolidated Revenue Fund a sum not exceeding in the whole \$9,905,400 to be applied towards defraying the several charges and expenses of the public service, not otherwise provided for, from the 1st day of April, 1966, to the 31st day of March, 1967, as set forth in Schedule A to this Act, and such sum shall be paid and applied only in accordance with the votes and items of the supplementary estimates upon which such schedule is based.

\$9,905,400
granted for
fiscal year
1966-67
1966, c. 151

2. There may be paid out of the Consolidated Revenue Fund a sum not exceeding in the whole \$2,382,985,500 to be applied towards defraying the several charges and expenses of the public service, not otherwise provided for, from the 1st day of April, 1967, to the 31st day of March, 1968, as set forth in Schedule B to this Act, and such sum shall be paid and applied only in accordance with the votes and items of the estimates upon which such schedule is based.

\$2,382,985,500
granted for
fiscal year
1967-68

Accounting for expenditure

3. The due application of all moneys expended under this Act shall be accounted for to Her Majesty.

Commence-
ment

4. This Act comes into force on the day it receives Royal Assent.

Short title

5. This Act may be cited as *The Supply Act, 1967*.

SCHEDULE A

Department of Energy and Resources Management.....	\$ 1,194,400
Department of Health.....	8,711,000
	<hr/>
	\$ 9,905,400
	<hr/>

SCHEDULE B

Department of Agriculture and Food.....	\$ 43,487,000
Department of Attorney General.....	55,135,000
Department of Civil Service.....	1,780,000
Department of Economics and Development..	34,347,000
Department of Education.....	646,906,000
Department of Energy and Resources Management.....	98,680,000
Department of Financial and Commercial Affairs.....	2,551,000
Department of Health.....	358,720,000
Department of Highways.....	405,737,000
Department of Labour.....	25,632,000
Department of Lands and Forests.....	48,188,000
Office of the Lieutenant Governor.....	37,000
Department of Mines.....	4,362,000
Department of Municipal Affairs.....	81,156,000
Department of the Prime Minister.....	275,000
Office of the Provincial Auditor.....	679,000
Department of the Provincial Secretary and Citizenship.....	6,164,500
Department of Public Works.....	71,151,000
Department of Reform Institutions.....	30,218,000
Department of Social and Family Services....	207,522,000
Department of Tourism and Information.....	10,515,000
Department of Transport.....	11,135,000
Treasury Department.....	24,546,000
Department of University Affairs.....	214,062,000
	<hr/>
	\$ 2,382,985,500
	<hr/>

An Act for granting to Her Majesty certain sums of money for the Public Service for the fiscal years ending the 31st day of March, 1967, and the 31st day of March, 1968

1st Reading

June 15th, 1967

2nd Reading

June 15th, 1967

3rd Reading

June 15th, 1967

MR. MACNAUGHTON

BILL Pr1

5TH SESSION, 27TH LEGISLATURE, ONTARIO
15-16 ELIZABETH II, 1967

An Act respecting the Society of Industrial and Cost Accountants of Ontario

MR. EWEN

(PRIVATE BILL)

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THE UNIVERSITY OF CHICAGO

BILL Pr1

1967

An Act respecting the Society of Industrial and Cost Accountants of Ontario

WHEREAS the Society of Industrial and Cost Accountants of Ontario by its petition has represented that it was incorporated by *An Act to incorporate the Society of Industrial and Cost Accountants of Ontario*, being chapter 77 of the Statutes of Ontario, 1941; and whereas the petitioner has prayed for special legislation amending its Act of incorporation to change the name of the Society to the Society of Industrial Accountants of Ontario; and whereas it is expedient to grant the prayer of the petition; Preamble

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Section 1 of *The Society of Industrial and Cost Accountants of Ontario Act, 1941* is amended by striking out "and Cost" in the sixth line, so that the section shall read as follows: 1941,
c. 77, s. 1,
amended

1. Harold Percy Wright of the City of Hamilton, Accountant, George Appleton of the City of Toronto, Comptroller, and Richard Dawson of the City of Hamilton, Secretary, and such other persons as may hereafter become members of the Society are hereby constituted a body corporate and politic under the name "Society of Industrial Accountants of Ontario", herein called "the Society". Incor-
poration

2.—(1) Subsection 1 of section 11 of *The Society of Industrial and Cost Accountants of Ontario Act, 1941* is amended by striking out "and Cost" in the third line and by striking out "and cost" in the fourth line, so that the subsection shall read as follows: 1941,
c. 77, s. 11,
subs. 1,
amended

(1) Every registered member of the Society shall have the right to use the designation "Registered Industrial Accountant" and may use after his name Designation

the initials "R.I.A.", indicating that he is a registered industrial accountant.

1941,
c. 77, s. 11,
subs. 2,
amended

(2) Subsection 2 of the said section 11 is amended by striking out "and Cost" in the second line, so that the subsection shall read as follows:

Offence

(2) Every person taking or using the designation "Registered Industrial Accountant" or the initials "R.I.A." or any name, title or description implying that he is a registered member of the Society, unless authorized so to do, shall be guilty of an offence and shall upon conviction incur a penalty not exceeding \$25 for each offence.

1941,
c. 77, s. 15,
amended

3. Section 15 of *The Society of Industrial and Cost Accountants of Ontario Act, 1941* is amended by striking out "and Cost" in the first and second lines, so that the section shall read as follows:

Short title

15. This Act may be cited as *The Society of Industrial Accountants of Ontario Act, 1941*.

Commence-
ment

4. This Act comes into force on the day it receives Royal Assent.

Short title

5. This Act may be cited as *The Society of Industrial Accountants of Ontario Act, 1967*.

An Act respecting the Society of Industrial
and Cost Accountants of Ontario

1st Reading

2nd Reading

3rd Reading

MR. EWEN

(*Private Bill*)

BILL Pr1

5TH SESSION, 27TH LEGISLATURE, ONTARIO
15-16 ELIZABETH II, 1967

An Act respecting the Society of Industrial and Cost Accountants of Ontario

MR. EWEN

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1911-1912

BILL Pr1

1967

An Act respecting the Society of Industrial and Cost Accountants of Ontario

WHEREAS the Society of Industrial and Cost Accountants of Ontario by its petition has represented that it was incorporated by *An Act to incorporate the Society of Industrial and Cost Accountants of Ontario*, being chapter 77 of the Statutes of Ontario, 1941; and whereas the petitioner has prayed for special legislation amending its Act of incorporation to change the name of the Society to the Society of Industrial Accountants of Ontario; and whereas it is expedient to grant the prayer of the petition; Preamble

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Section 1 of *The Society of Industrial and Cost Accountants of Ontario Act, 1941* is amended by striking out "and Cost" in the sixth line, so that the section shall read as follows: 1941,
c. 77, s. 1,
amended

1. Harold Percy Wright of the City of Hamilton, Accountant, George Appleton of the City of Toronto, Comptroller, and Richard Dawson of the City of Hamilton, Secretary, and such other persons as may hereafter become members of the Society are hereby constituted a body corporate and politic under the name "Society of Industrial Accountants of Ontario", herein called "the Society". Incorporation

2.—(1) Subsection 1 of section 11 of *The Society of Industrial and Cost Accountants of Ontario Act, 1941* is amended by striking out "and Cost" in the third line and by striking out "and cost" in the fourth line, so that the subsection shall read as follows: 1941,
c. 77, s. 11,
subs. 1,
amended

- (1) Every registered member of the Society shall have the right to use the designation "Registered Industrial Accountant" and may use after his name Designation

the initials "R.I.A.", indicating that he is a registered industrial accountant.

1941,
c. 77, s. 11,
subs. 2,
amended

(2) Subsection 2 of the said section 11 is amended by striking out "and Cost" in the second line, so that the subsection shall read as follows:

Offence

(2) Every person taking or using the designation "Registered Industrial Accountant" or the initials "R.I.A." or any name, title or description implying that he is a registered member of the Society, unless authorized so to do, shall be guilty of an offence and shall upon conviction incur a penalty not exceeding \$25 for each offence.

1941,
c. 77, s. 15,
amended

3. Section 15 of *The Society of Industrial and Cost Accountants of Ontario Act, 1941* is amended by striking out "and Cost" in the first and second lines, so that the section shall read as follows:

Short title

15. This Act may be cited as *The Society of Industrial Accountants of Ontario Act, 1941*.

Commence-
ment

4. This Act comes into force on the day it receives Royal Assent.

Short title

5. This Act may be cited as *The Society of Industrial Accountants of Ontario Act, 1967*.

An Act respecting the Society of Industrial
and Cost Accountants of Ontario

1st Reading

February 2nd, 1967

2nd Reading

February 16th, 1967

3rd Reading

February 21st, 1967

MR. EWEN

BILL Pr2

5TH SESSION, 27TH LEGISLATURE, ONTARIO
15-16 ELIZABETH II, 1967

An Act respecting the Township of Toronto

MR. MACKENZIE

(PRIVATE BILL)

BILL Pr2

1967

An Act respecting the Township of Toronto

WHEREAS The Corporation of the Township of Toronto, Preamble
 herein called the Corporation, by its petition has prayed
 for special legislation in respect of the matters hereinafter
 set forth; and whereas it is expedient to grant the prayer of
 the petition;

Therefore, Her Majesty, by and with the advice and consent
 of the Legislative Assembly of the Province of Ontario, enacts
 as follows:

1. Notwithstanding section 8 of *The Township of Toronto* Public school tax rate on new structures in Township of Toronto 1962-63, c. 190
Act, 1962-63, where any building or structure is erected or
 constructed on or after the 1st day of August, 1966, on land
 that was on the 31st day of December, 1963, within the Town-
 ship School Area No. 1 of Toronto Township, Union School
 Section No. 18 and Union School Section No. 19, as they then
 existed, and, where it is assessed for public school purposes,

- (a) the building or structure shall be assessed and taxed
 for public school purposes in the same manner as
 land situate in the Township School Area of South
 Peel as it existed on the 31st day of December, 1963;
 and
- (b) the land used in connection with such building or
 structure shall be assessed and taxed for public
 school purposes commencing on the 1st day of Janu-
 ary following the erection or construction of such
 building or structure in the same manner as land
 situate in the Township School Area of South Peel
 as it existed on the 31st day of December, 1963.

2. This Act comes into force on the day it receives Royal Commence-
ment
 Assent.

3. This Act may be cited as *The Township of Toronto Act*, Short title
 1967.

An Act respecting
the Township of Toronto

1st Reading

2nd Reading

3rd Reading

MR. MACKENZIE

(Private Bill)

BILL Pr2

5TH SESSION, 27TH LEGISLATURE, ONTARIO
15-16 ELIZABETH II, 1967

An Act respecting the Township of Toronto

MR. MACKENZIE

(Reprinted as amended by the Committee on Private Bills)

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BILL Pr2

1967

An Act respecting the Township of Toronto

WHEREAS The Corporation of the Township of Toronto, ^{Preamble}
herein called the Corporation, by its petition has prayed
for special legislation in respect of the matters hereinafter
set forth; and whereas it is expedient to grant the prayer of
the petition;

Therefore, Her Majesty, by and with the advice and consent
of the Legislative Assembly of the Province of Ontario, enacts
as follows:

1. Notwithstanding section 8 of *The Township of Toronto* ^{Public}
Act, 1962-63, where any building or structure is erected or ^{school tax}
constructed on or after the 1st day of January, 1967, on land ^{rate on new}
that was on the 31st day of December, 1963, within the Town- ^{structures in}
ship School Area No. 1 of Toronto Township, Union School ^{Township}
Section No. 18 and Union School Section No. 19, as they then ^{of Toronto}
existed, and, where it is assessed for public school purposes, ^{1962-63,}
^{c. 190}

- (a) the building or structure shall be assessed and taxed
for public school purposes in the same manner as
land situate in the Township School Area of South
Peel as it existed on the 31st day of December, 1963;
and
- (b) the land used in connection with such building or
structure shall be assessed and taxed for public
school purposes commencing on the 1st day of Janu-
ary following the erection or construction of such
building or structure in the same manner as land
situate in the Township School Area of South Peel
as it existed on the 31st day of December, 1963.

2. This Act comes into force on the day it receives Royal ^{Commence-}
Assent. ^{ment}

3. This Act may be cited as *The Township of Toronto Act*, ^{Short title}
1967.

An Act respecting the
Township of Toronto

1st Reading

February 2nd, 1967

2nd Reading

3rd Reading

MR. MACKENZIE

*(Reprinted as amended by the
Committee on Private Bills)*

BILL Pr2

5TH SESSION, 27TH LEGISLATURE, ONTARIO
15-16 ELIZABETH II, 1967

An Act respecting the Township of Toronto

MR. MACKENZIE

THE JOURNAL OF THE
ROYAL ANTHROPOLOGICAL INSTITUTE

Vol. IV. Part I. 1874.



BILL Pr2

1967

An Act respecting the Township of Toronto

WHEREAS The Corporation of the Township of Toronto, ^{Preamble}
 herein called the Corporation, by its petition has prayed
 for special legislation in respect of the matters hereinafter
 set forth; and whereas it is expedient to grant the prayer of
 the petition;

Therefore, Her Majesty, by and with the advice and consent
 of the Legislative Assembly of the Province of Ontario, enacts
 as follows:

1. Notwithstanding section 8 of *The Township of Toronto* ^{Public school tax rate on new structures in Township of Toronto 1962-63, c. 190}
Act, 1962-63, where any building or structure is erected or
 constructed on or after the 1st day of January, 1967, on land
 that was on the 31st day of December, 1963, within the Town-
 ship School Area No. 1 of Toronto Township, Union School
 Section No. 18 and Union School Section No. 19, as they then
 existed, and, where it is assessed for public school purposes,

- (a) the building or structure shall be assessed and taxed
 for public school purposes in the same manner as
 land situate in the Township School Area of South
 Peel as it existed on the 31st day of December, 1963;
 and
- (b) the land used in connection with such building or
 structure shall be assessed and taxed for public
 school purposes commencing on the 1st day of Janu-
 ary following the erection or construction of such
 building or structure in the same manner as land
 situate in the Township School Area of South Peel
 as it existed on the 31st day of December, 1963.

2. This Act comes into force on the day it receives Royal ^{Commence-}
 Assent. ^{ment}

3. This Act may be cited as *The Township of Toronto Act*, ^{Short title}
 1967.

An Act respecting the
Township of Toronto

1st Reading

February 2nd, 1967

2nd Reading

February 20th, 1967

3rd Reading

February 24th, 1967

MR. MACKENZIE

BILL Pr3

5TH SESSION, 27TH LEGISLATURE, ONTARIO
15-16 ELIZABETH II, 1967

An Act respecting the Sarnia Board of Education and the Sarnia Suburban High School District

MR. KNOX

(PRIVATE BILL)

THE 1880

THE 1880



THE 1880

BILL Pr3

1967

**An Act respecting the Sarnia Board
of Education and the Sarnia Suburban
High School District**

WHEREAS The Board of Education for the City of ^{Preamble}
Sarnia and The Sarnia Suburban District High School
Board by their petition have represented that by *The Sarnia* ^{1955, c. 112}
and Suburban Secondary Schools Act, 1955, as amended by
The Sarnia and Suburban Secondary Schools Act, 1960, provi- ^{1960, c. 166}
sion was made to enable the Boards by agreement to provide
additional accommodation for future requirements; and
that additional accommodation has been provided from time
to time and that it is desirable that the provisions for provid-
ing additional accommodation be simplified and that *The*
Sarnia and Suburban Secondary Schools Act, 1955, as amended,
be amended further; and whereas it is expedient to grant the
prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent
of the Legislative Assembly of the Province of Ontario, enacts
as follows:

1. Section 1 of *The Sarnia and Suburban Secondary Schools* ^{1955,}
Act, 1955 is repealed and the following substituted therefor: ^{c. 112, s. 1,}
^{re-enacted}

(1) In this Act,

Interpre-
tation

- (a) "accommodation" means school sites, buildings, teaching areas, furniture and equipment, administration office buildings, storage and maintenance buildings and all other matters and things necessary or desirable for the operation of a secondary school system;
- (b) "auxiliary areas" means areas that do not carry an instructional load, but are necessary to make the school function as a whole, and, without limiting the generality of the foregoing, include,

- (i) administrative offices, teachers' rooms, offices for department heads and student supply rooms,
 - (ii) health service and guidance or counselling offices,
 - (iii) auditoriums with fixed seats and stage, dressing and property rooms,
 - (iv) P. T. instructors' offices, apparatus rooms, shower and locker rooms, spectator galleries, cafeterias, lunch rooms and kitchens,
 - (v) general store-rooms, boiler rooms and maintenance quarters,
 - (vi) washrooms and toilets for staff and pupils,
 - (vii) corridors, stairwells, entrances and other structural requirements;
- (c) "City" means the City of Sarnia.
- (d) "City Board" means The Board of Education for the City of Sarnia;
- (e) "gross cost" means the cost of teachers' salaries, instructional supplies, administration, plant operation, plant maintenance and replacements, auxiliary agencies, current financing of the operation of secondary schools, and all other expenditures by the City Board in respect of the operation of secondary schools;
- (f) "instructional areas" means student areas that carry a class load and are devoted to actual instructional work, such as classrooms, laboratories, libraries, shops, music rooms, gymnasiums and art, commercial and home economics rooms;
- (g) "school ground areas" means the land necessary for a school building, playground, parking areas and other land required for school purposes;
- (h) "student place" means accommodation, auxiliary areas, instructional areas, and school ground areas required for a student with respect to the complete operation of a secondary school system;
- (i) "Suburban Board" means The Sarnia Suburban District High School Board.

2. Paragraphs 7, 8 and 9 of subsection 2 of section 2 of ^{1955,}
The Sarnia and Suburban Schools Act, 1955 are repealed and ^{c. 112, s. 2,}
the following substituted therefor: ^{subs. 2,}
^{paras. 7-9,}
^{re-enacted}

7. Commencing with the fall term of 1956 and thereafter, the Suburban Board shall pay to the City Board a per diem rate for pupils resident in the Sarnia Suburban High School District and enrolled in a secondary school in the City or in the Sarnia Suburban High School District based on the gross cost of operating the secondary schools in the City and in the Sarnia Suburban High School District, not including payments of principal and interest in respect of debentures heretofore or hereafter issued for the construction of secondary school accommodation in the City and in the Sarnia Suburban High School District.
8. It is the duty of the City Board to accept pupils resident in the City and in the Sarnia Suburban High School District and qualified to enroll in a secondary school, and it is the right of such pupils to receive secondary school education in a secondary school located in the City or in the Sarnia Suburban High School District.
9. Commencing with the fall term of 1956 and thereafter, pupils from a high school district in the County of Lambton not within the Sarnia Suburban High School District may be admitted to a secondary school operated by the City Board with the written consent of the secretary of the board having jurisdiction over the area in which the pupil resides, and any such board shall pay to the City Board a per diem rate for such pupils enrolled in a secondary school operated by the City Board based on the gross cost of operating the said secondary schools together with the payments of principal and interest in respect of the debentures issued by the City or any municipality in the Sarnia Suburban High School District or the County of Lambton for the construction of secondary school accommodation in the City and in the Sarnia Suburban High School District, and in such case that portion of the per diem rate computed in relation to debenture charges shall be shared by the City Board and Suburban Board in the proportion that the debenture charges of the City Board and the Suburban Board respectively at that time bear to the total debenture charges used in computing the per diem rate.

1955, c. 112,
s. 3, subs. 1,
cl. a (1960,
c. 166, s. 1,
subs. 1),
re-enacted,
cl. aa (1960,
c. 166, s. 1,
subs. 1),
repealed,
cls. b, c, d,
and cl. e
(1960,
c. 166, s. 1,
subs. 2),
re-enacted

3. —(1) Clause *a* as re-enacted by subsection 1 of section 1 of *The Sarnia and Suburban Secondary Schools Act, 1960*, clause *aa* as enacted by subsection 1 of section 1 of *The Sarnia and Suburban Secondary Schools Act, 1960*, clauses *b, c, d*, and clause *e* as enacted by subsection 2 of section 1 of *The Sarnia and Suburban Secondary Schools Act, 1960*, of subsection 1 of section 3 of *The Sarnia and Suburban Secondary Schools Act, 1955* are repealed and the following substituted therefor:

- (a) after deducting all grants received by the Boards from the Department of Education or from any other source as to such additional accommodation, the cost of providing additional accommodation and of any alterations and renovations shall be shared by the City Board and the Suburban Board in the proportions that the number of secondary school pupils registered to each Board bears to the total number of secondary school pupils enrolled in the system as of the 1st day of October immediately preceding the date of the approval of the Department of Education for the construction of such additional accommodation, and of any alterations and renovations, or, in the event that the approval of the Department of Education is not required, immediately preceding the date of approval of the two Boards as to the construction, alteration or renovation;
- (b) each Board shall have an interest in any increased accommodation in the same proportion as it is liable for the cost of such accommodation, and such additional accommodation may be situated within the City or within the Sarnia and Suburban High School District and may be acquired and held in the joint names of the two Boards or in the name of either Board;
- (c) municipal debentures, not to exceed a term of twenty years, may be issued by the municipalities or any of them in the Sarnia Suburban High School District or by the County of Lambton in the same manner as if such increased accommodation was located in the Sarnia Suburban High School District and by the City in the same manner as if such increased accommodation was located in the City;
- (d) the construction, operation and management of secondary schools and any addition or alteration to any secondary school shall be under the control of the

City Board and the rules, regulations, by-laws and policies of the City Board shall apply thereto at all times;

- (e) the number of student places provided by the two Boards as of the 30th day of June, 1966, shall be deemed to be as set out in the Schedule.

(2) Subsection 1 of the said section 3 is amended by adding thereto the following clause:

1955,
c. 112, s. 3,
subs. 1,
amended

- (h) (i) any school site heretofore or hereafter acquired within the City and within the Sarnia Suburban High School District and any school building or any building erected thereon for the purpose of accommodation shall not be subject to municipal taxation so long as it is held by the Boards or either of them,

- (ii) for the purpose of this clause, "school site" means the land necessary for a school house, school playground, school garden, teacher's residence, caretaker's residence, drill hall, gymnasium, offices, storage building, maintenance building, parking areas and other land required for school purposes or for the offices of a board.

(3) Subsection 3 of the said section 3, as enacted by sub-section 3 of section 1 of *The Sarnia and Suburban Secondary Schools Act, 1960*, is repealed.

1955,
c. 112, s. 3,
sub. 3
(1960,
c. 166, s. 1,
subs. 3),
repealed

4. The Schedule to *The Sarnia and Suburban Secondary Schools Act, 1955*, as enacted by section 2 of *The Sarnia and Suburban Secondary Schools Act, 1960*, is repealed and the following substituted therefor:

1955, c. 112,
Sch.
(1960,
c. 166, s. 2),
re-enacted

SCHEDULE

In this Schedule,

- (a) "Central" means the Sarnia Central Collegiate Institute.
- (b) "Northern" means the Sarnia Northern Collegiate Institute and Vocational School.
- (c) "Scits" means the Sarnia Collegiate Institute and Technical School.
- (d) "St. Clair" means the Sarnia St. Clair Secondary School.

SUBURBAN BOARD				CITY BOARD			
Student Places				Student Places			
	<u>Instruc- tional Areas</u>	<u>Auxiliary Areas</u>	<u>School Grounds</u>		<u>Instruc- tional Areas</u>	<u>Auxiliary Areas</u>	<u>School Grounds</u>
31st October, 1956							
Northern	760	1,070	1,380	Scits. . . .	900	900	1,070
				Central..	650	1,070	1,070
	<u>760</u>	<u>1,070</u>	<u>1,380</u>		<u>1,550</u>	<u>1,970</u>	<u>2,140</u>
31st December, 1959							
				Northern	310	.....	.....
				Scits. . . .	170	170	.....
	<u>760</u>	<u>1,070</u>	<u>1,380</u>		<u>2,030</u>	<u>2,140</u>	<u>2,140</u>
31st December, 1961							
St. Clair.	310	.....	.....	St. Clair.	420	1,070	1,380
	<u>1,070</u>	<u>1,070</u>	<u>1,380</u>		<u>2,450</u>	<u>3,210</u>	<u>3,520</u>
31st December, 1962							
Fed.- Prov. Projects.	376	376	.....	Fed.- Prov. Projects.	1,014	1,014	250
					.....	.....	250
	<u>1,446</u>	<u>1,446</u>	<u>1,380</u>		<u>3,464</u>	<u>4,224</u>	<u>4,020</u>
31st December, 1964							
Student Places				Student Places			
Northern	77			Northern	423		
	<u>1,523</u>				<u>3,887</u>		
30th June, 1966							
Scits. . . .	37			Scits. . . .	103		
	<u>1,560</u>				<u>3,990</u>		

Commence-
ment

5. This Act comes into force on the day it receives Royal Assent.

Short title

6. This Act may be cited as *The Sarnia and Suburban Secondary Schools Act, 1967*.

An Act respecting the Sarnia Board of
Education and the Sarnia Suburban High
School District

1st Reading

2nd Reading

3rd Reading

MR. KNOX

(*Private Bill*)

BILL Pr3

5TH SESSION, 27TH LEGISLATURE, ONTARIO
15-16 ELIZABETH II, 1967

An Act respecting the Sarnia Board of Education and the Sarnia Suburban High School District

MR. KNOX

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BILL Pr3

1967

An Act respecting the Sarnia Board of Education and the Sarnia Suburban High School District

WHEREAS The Board of Education for the City of ^{Preamble} Sarnia and The Sarnia Suburban District High School Board by their petition have represented that by *The Sarnia and Suburban Secondary Schools Act, 1955*, c. 112, as amended by *The Sarnia and Suburban Secondary Schools Act, 1960*, ^{1960, c. 166} provision was made to enable the Boards by agreement to provide additional accommodation for future requirements; and that additional accommodation has been provided from time to time and that it is desirable that the provisions for providing additional accommodation be simplified and that *The Sarnia and Suburban Secondary Schools Act, 1955*, as amended, be amended further; and whereas it is expedient to grant the prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Section 1 of *The Sarnia and Suburban Secondary Schools Act, 1955* is repealed and the following substituted therefor: ^{c. 112, s. 1, re-enacted}

(1) In this Act,

Interpre-
tation

- (a) "accommodation" means school sites, buildings, teaching areas, furniture and equipment, administration office buildings, storage and maintenance buildings and all other matters and things necessary or desirable for the operation of a secondary school system;
- (b) "auxiliary areas" means areas that do not carry an instructional load, but are necessary to make the school function as a whole, and, without limiting the generality of the foregoing, include,

- (i) administrative offices, teachers' rooms, offices for department heads and student supply rooms,
 - (ii) health service and guidance or counselling offices,
 - (iii) auditoriums with fixed seats and stage, dressing and property rooms,
 - (iv) P. T. instructors' offices, apparatus rooms, shower and locker rooms, spectator galleries, cafeterias, lunch rooms and kitchens,
 - (v) general store-rooms, boiler rooms and maintenance quarters,
 - (vi) washrooms and toilets for staff and pupils,
 - (vii) corridors, stairwells, entrances and other structural requirements;
- (c) "City" means the City of Sarnia.
- (d) "City Board" means The Board of Education for the City of Sarnia;
- (e) "gross cost" means the cost of teachers' salaries, instructional supplies, administration, plant operation, plant maintenance and replacements, auxiliary agencies, current financing of the operation of secondary schools, and all other expenditures by the City Board in respect of the operation of secondary schools;
- (f) "instructional areas" means student areas that carry a class load and are devoted to actual instructional work, such as classrooms, laboratories, libraries, shops, music rooms, gymnasiums and art, commercial and home economics rooms;
- (g) "school ground areas" means the land necessary for a school building, playground, parking areas and other land required for school purposes;
- (h) "student place" means accommodation, auxiliary areas, instructional areas, and school ground areas required for a student with respect to the complete operation of a secondary school system;
- (i) "Suburban Board" means The Sarnia Suburban District High School Board.

2. Paragraphs 7, 8 and 9 of subsection 2 of section 2 of *The Sarnia and Suburban Schools Act, 1955* are repealed and the following substituted therefor:

1955,
c. 112, s. 2,
subs. 2,
paras. 7-9,
re-enacted

7. Commencing with the fall term of 1956 and thereafter, the Suburban Board shall pay to the City Board a per diem rate for pupils resident in the Sarnia Suburban High School District and enrolled in a secondary school in the City or in the Sarnia Suburban High School District based on the gross cost of operating the secondary schools in the City and in the Sarnia Suburban High School District, not including payments of principal and interest in respect of debentures heretofore or hereafter issued for the construction of secondary school accommodation in the City and in the Sarnia Suburban High School District.
8. It is the duty of the City Board to accept pupils resident in the City and in the Sarnia Suburban High School District and qualified to enroll in a secondary school, and it is the right of such pupils to receive secondary school education in a secondary school located in the City or in the Sarnia Suburban High School District.
9. Commencing with the fall term of 1956 and thereafter, pupils from a high school district in the County of Lambton not within the Sarnia Suburban High School District may be admitted to a secondary school operated by the City Board with the written consent of the secretary of the board having jurisdiction over the area in which the pupil resides, and any such board shall pay to the City Board a per diem rate for such pupils enrolled in a secondary school operated by the City Board based on the gross cost of operating the said secondary schools together with the payments of principal and interest in respect of the debentures issued by the City or any municipality in the Sarnia Suburban High School District or the County of Lambton for the construction of secondary school accommodation in the City and in the Sarnia Suburban High School District, and in such case that portion of the per diem rate computed in relation to debenture charges shall be shared by the City Board and Suburban Board in the proportion that the debenture charges of the City Board and the Suburban Board respectively at that time bear to the total debenture charges used in computing the per diem rate.

1955, c. 112,
s. 3, subs. 1,
cl. a (1960,
c. 166, s. 1,
subs. 1),
re-enacted,
cl. aa (1960,
c. 166, s. 1,
subs. 1),
repealed,
cls. b, c, d,
and cl. e
(1960,
c. 166, s. 1,
subs. 2),
re-enacted

3. --(1) Clause *a* as re-enacted by subsection 1 of section 1 of *The Sarnia and Suburban Secondary Schools Act, 1960*, clause *aa* as enacted by subsection 1 of section 1 of *The Sarnia and Suburban Secondary Schools Act, 1960*, clauses *b, c, d*, and clause *e* as enacted by subsection 2 of section 1 of *The Sarnia and Suburban Secondary Schools Act, 1960*, of subsection 1 of section 3 of *The Sarnia and Suburban Secondary Schools Act, 1955* are repealed and the following substituted therefor:

- (a) after deducting all grants received by the Boards from the Department of Education or from any other source as to such additional accommodation, the cost of providing additional accommodation and of any alterations and renovations shall be shared by the City Board and the Suburban Board in the proportions that the number of secondary school pupils registered to each Board bears to the total number of secondary school pupils enrolled in the system as of the 1st day of October immediately preceding the date of the approval of the Department of Education for the construction of such additional accommodation, and of any alterations and renovations, or, in the event that the approval of the Department of Education is not required, immediately preceding the date of approval of the two Boards as to the construction, alteration or renovation;
- (b) each Board shall have an interest in any increased accommodation in the same proportion as it is liable for the cost of such accommodation, and such additional accommodation may be situated within the City or within the Sarnia and Suburban High School District and may be acquired and held in the joint names of the two Boards or in the name of either Board;
- (c) municipal debentures, not to exceed a term of twenty years, may be issued by the municipalities or any of them in the Sarnia Suburban High School District or by the County of Lambton in the same manner as if such increased accommodation was located in the Sarnia Suburban High School District and by the City in the same manner as if such increased accommodation was located in the City;
- (d) the construction, operation and management of secondary schools and any addition or alteration to any secondary school shall be under the control of the

City Board and the rules, regulations, by-laws and policies of the City Board shall apply thereto at all times;

- (e) the number of student places provided by the two Boards as of the 30th day of June, 1966, shall be deemed to be as set out in the Schedule.

(2) Subsection 1 of the said section 3 is amended by adding thereto the following clause: ^{1955, c. 112, s. 3, subs. 1, amended}

- (h) (i) any school site heretofore or hereafter acquired within the City and within the Sarnia Suburban High School District and any school building or any building erected thereon for the purpose of accommodation shall not be subject to municipal taxation so long as it is held by the Boards or either of them,

- (ii) for the purpose of this clause, "school site" means the land necessary for a school house, school playground, school garden, teacher's residence, caretaker's residence, drill hall, gymnasium, offices, storage building, maintenance building, parking areas and other land required for school purposes or for the offices of a board.

(3) Subsection 3 of the said section 3, as enacted by sub-section 3 of section 1 of *The Sarnia and Suburban Secondary Schools Act, 1960*, is repealed. ^{1955, c. 112, s. 3, sub. 3 (1960, c. 166, s. 1, subs. 3), repealed}

4. The Schedule to *The Sarnia and Suburban Secondary Schools Act, 1955*, as enacted by section 2 of *The Sarnia and Suburban Secondary Schools Act, 1960*, is repealed and the following substituted therefor: ^{1955, c. 112, Sch. (1960, c. 166, s. 2), re-enacted}

SCHEDULE

In this Schedule,

- (a) "Central" means the Sarnia Central Collegiate Institute.
- (b) "Northern" means the Sarnia Northern Collegiate Institute and Vocational School.
- (c) "Scits" means the Sarnia Collegiate Institute and Technical School.
- (d) "St. Clair" means the Sarnia St. Clair Secondary School.

SUBURBAN BOARD				CITY BOARD			
Student Places				Student Places			
	Instruc- tional Areas	Auxiliary Areas	School Grounds		Instruc- tional Areas	Auxiliary Areas	School Grounds
31st October, 1956							
Northern	760	1,070	1,380	Scits. . . .	900	900	1,070
				Central..	650	1,070	1,070
	<u>760</u>	<u>1,070</u>	<u>1,380</u>		<u>1,550</u>	<u>1,970</u>	<u>2,140</u>
31st December, 1959							
				Northern	310	.....	.....
				Scits.	170	170	.....
	<u>760</u>	<u>1,070</u>	<u>1,380</u>		<u>2,030</u>	<u>2,140</u>	<u>2,140</u>
31st December, 1961							
St. Clair.	310	.....	.....	St. Clair.	420	1,070	1,380
	<u>1,070</u>	<u>1,070</u>	<u>1,380</u>		<u>2,450</u>	<u>3,210</u>	<u>3,520</u>
31st December, 1962							
Fed.- Prov. Projects.	376	376	.....	Fed.- Prov. Projects.	1,014	1,014	250
					.....	.....	250
	<u>1,446</u>	<u>1,446</u>	<u>1,380</u>		<u>3,464</u>	<u>4,224</u>	<u>4,020</u>
31st December, 1964							
Student Places				Student Places			
Northern	77			Northern	423		
	<u>1,523</u>				<u>3,887</u>		
30th June, 1966							
Scits. . . .	37			Scits.	103		
	<u>1,560</u>				<u>3,990</u>		

Commence-
ment

5. This Act comes into force on the day it receives Royal Assent.

Short title

6. This Act may be cited as *The Sarnia and Suburban Secondary Schools Act, 1967*.

An Act respecting the Sarnia Board of
Education and the Sarnia Suburban High
School District

1st Reading

February 2nd, 1967

2nd Reading

February 16th, 1967

3rd Reading

February 21st, 1967

Mr. KNOX

BILL Pr4

5TH SESSION, 27TH LEGISLATURE, ONTARIO
15-16 ELIZABETH II, 1967

An Act respecting The Public School Board of Section No. 1 of the Township of Moose in the District of Cochrane

MR. DEMERS

(PRIVATE BILL)

BILL Pr4

1967

**An Act respecting The Public School Board
of Section No. 1 of the Township of Moose in
the District of Cochrane**

WHEREAS The Public School Board of Section No. 1 ^{Preamble}
of the Township of Moose in the District of Cochrane
by its petition has prayed for special legislation in respect of
the matters hereinafter set forth; and whereas it is expedient
to grant the prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent
of the Legislative Assembly of the Province of Ontario, enacts
as follows:

1. The Public School Board of Section No. 1 of the Town- ^{Debenture}
ship of Moose in the District of Cochrane is hereby authorized ^{by-law}
to pass a by-law without obtaining the approval of the Ontario ^{authorized}
Municipal Board to borrow a sum not exceeding \$50,000 upon
debentures payable in not more than twenty years to meet
the actual expenses incurred during 1966 in the construction
of four housing units situate on Lots 152, 153 and 154, Plan
M-14 Cochrane, in the Townsite of Moosonee, in the Town-
ship of Moose.

2. Sections 55, 56, 57 and 58 of *The Ontario Municipal* ^{Application}
Board Act apply in respect of a by-law passed under section 1 ^{of}
and the debentures to be issued thereunder. ^{R.S.O. 1960,}
^{c. 274}

3. For the purposes of every Act, the Ontario Municipal ^{Order of}
Board shall be deemed to have issued an order under section 64 ^{OMB}
of *The Ontario Municipal Board Act* authorizing The Public ^{deemed}
School Board of Section No. 1 of the Township of Moose ^{issued}
in the District of Cochrane to undertake the construction and
to issue debentures under section 1.

4. This Act comes into force on the day it receives Royal ^{Commence-}
Assent. ^{ment}

5. This Act may be cited as *The Public School Board of* ^{Short title}
Section No. 1 of the Township of Moose Act, 1967.

An Act respecting The Public School
Board of Section No. 1 of the Township
of Moose in the District of Cochrane

1st Reading

2nd Reading

3rd Reading

MR. DEMERS

(Private Bill)

BILL Pr4

5TH SESSION, 27TH LEGISLATURE, ONTARIO
15-16 ELIZABETH II, 1967

An Act respecting The Public School Board of Section No. 1 of the Township of Moose in the District of Cochrane

MR. DEMERS

BILL Pr4

1967

**An Act respecting The Public School Board
of Section No. 1 of the Township of Moose in
the District of Cochrane**

WHEREAS The Public School Board of Section No. 1 ^{Preamble}
of the Township of Moose in the District of Cochrane
by its petition has prayed for special legislation in respect of
the matters hereinafter set forth; and whereas it is expedient
to grant the prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent
of the Legislative Assembly of the Province of Ontario, enacts
as follows:

1. The Public School Board of Section No. 1 of the Town- <sup>Debenture
by-law
authorized</sup>
ship of Moose in the District of Cochrane is hereby authorized
to pass a by-law without obtaining the approval of the Ontario
Municipal Board to borrow a sum not exceeding \$50,000 upon
debentures payable in not more than twenty years to meet
the actual expenses incurred during 1966 in the construction
of four housing units situate on Lots 152, 153 and 154, Plan
M-14 Cochrane, in the Townsite of Moosonee, in the Town-
ship of Moose.

2. Sections 55, 56, 57 and 58 of *The Ontario Municipal* <sup>Application
of
R.S.O. 1960,
c. 274</sup>
Board Act apply in respect of a by-law passed under section 1
and the debentures to be issued thereunder.

3. For the purposes of every Act, the Ontario Municipal <sup>Order of
OMB
deemed
issued</sup>
Board shall be deemed to have issued an order under section 64
of *The Ontario Municipal Board Act* authorizing The Public
School Board of Section No. 1 of the Township of Moose
in the District of Cochrane to undertake the construction and
to issue debentures under section 1.

4. This Act comes into force on the day it receives Royal <sup>Commence-
ment</sup>
Assent.

5. This Act may be cited as *The Public School Board of* ^{Short title}
Section No. 1 of the Township of Moose Act, 1967.

An Act respecting The Public School
Board of Section No. 1 of the Township
of Moose in the District of Cochrane

1st Reading

February 2nd, 1967

2nd Reading

February 16th, 1967

3rd Reading

February 21st, 1967

MR. DEMERS

BILL Pr5

5TH SESSION, 27TH LEGISLATURE, ONTARIO
15-16 ELIZABETH II, 1967

An Act respecting the City of Woodstock

MR. PITTOCK

(PRIVATE BILL)

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1888

1888

BILL Pr5

1967

An Act respecting the City of Woodstock

WHEREAS The Corporation of the City of Woodstock ^{Preamble}
by its petition has prayed for special legislation in
respect of the matters hereinafter set forth; and whereas it
is expedient to grant the prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent
of the Legislative Assembly of the Province of Ontario, enacts
as follows:

1. The Corporation of the City of Woodstock and The ^{Agreement}
Corporation of the Township of East Oxford are hereby ^{with}
authorized and empowered to enter into the agreement set ^{East Oxford}
forth as Schedule A hereto, and are authorized and em-
powered to carry out and perform the terms thereof.

2. The Corporation of the City of Woodstock and The ^{Agreement}
Corporation of the Township of Blandford are hereby author- ^{with}
ized and empowered to enter into the agreement set forth as ^{Blandford}
Schedule B hereto, and are authorized and empowered to
carry out and perform the terms thereof.

3. The Ontario Municipal Board shall be deemed to have ^{Order of}
issued an order under section 64 of *The Ontario Municipal* ^{OMB}
Board Act authorizing The Corporation of the City of Wood- ^{deemed}
stock and the Corporations of the townships of Blandford ^{issued}
and East Oxford to enter into and carry out and perform the ^{R.S.O. 1960,}
terms of the agreements referred to in sections 1 and 2. ^{c. 274}

4. This Act comes into force on the day it receives Royal ^{Commence-}
Assent. ^{ment}

5. This Act may be cited as *The City of Woodstock Act*, ^{Short title}
1967.

SCHEDULE A

THIS AGREEMENT made in duplicate this first day of January, 1967.

BETWEEN:

THE CORPORATION OF THE TOWNSHIP OF EAST OXFORD,

OF THE FIRST PART,

— and —

THE CORPORATION OF THE CITY OF WOODSTOCK,

OF THE SECOND PART.

WHEREAS by order of the Ontario Municipal Board dated the 26th day of October, 1966, the lands described in Schedule "A" hereto were annexed to the City of Woodstock effective on the 1st day of January, 1967; and

WHEREAS the Corporation of the City of Woodstock wishes to provide that the residents of the Corporation of the Township of East Oxford be not adversely affected by the acquisition of additional land by the Corporation of the City of Woodstock;

NOW THEREFORE THIS AGREEMENT WITNESSETH and the parties hereto covenant and agree as follows:

1. The Corporation of the City of Woodstock agrees to pay to the Corporation of the Township of East Oxford the sum of four thousand, five hundred (\$4,500.00) dollars per year for five years. The first payment shall be made within ten days of the effective date of acquisition of the lands described in Schedule "A" attached hereto and an additional four thousand, five hundred (\$4,500.00) dollars on the same date each year until twenty-two thousand, five hundred (\$22,500.00) dollars has been paid by the City of Woodstock to the Township of East Oxford.

2. The Corporation of the Township of East Oxford shall be responsible for snow-plowing the road between Concessions 2 and 3 of the Township of East Oxford from Highway 59 easterly to the line dividing the east and west halves of Lot 16, Concession 2, and that all other road maintenance on this road shall be carried on by and be the responsibility of the City of Woodstock. The Township of East Oxford agrees to snow-plow this road for a period of five years from the date of annexation, at which time agreement to snow-plow this road may be re-negotiated.

3. The City of Woodstock agrees to pay two hundred (\$200.00) dollars to the Township of East Oxford for expenses that may be incurred by the Township.

IN WITNESS WHEREOF the parties hereto have hereunto affixed their Corporate Seals attested by the hands of the proper officers authorized in that behalf.

THE CORPORATION OF THE TOWNSHIP
OF EAST OXFORD:

.....
Reeve.

.....
Clerk.

THE CORPORATION OF THE CITY OF
WOODSTOCK:

.....
Mayor.

.....
Clerk.

*Schedule "A" to By-law**Parcel I*

ALL AND SINGULAR that certain parcel or tract of land and premises, situate, lying and being in the Township of East Oxford, in the County of Oxford and Province of Ontario, being composed of part of Lot 14 in the First Concession of said Township, and part of the road allowance between the Township of East Oxford and the Township of Blandford, the boundaries of said parcel being described as follows:

PREMISING that bearings herein are related to the southerly boundary of King's Highway No. 2 as widened by Registered Plan No. 402, which is assumed to have a bearing of North seventy-nine degrees one minute twenty seconds East (N. 79° 01' 20" E.) across the westerly portion of the said lot;

Commencing at a point in the southerly boundary of King's Highway No. 2 as widened by Registered Plan No. 402 at the distance of one thousand two hundred and seventy-eight and eighty-nine-hundredths (1278.89) feet measured easterly along said southerly boundary from its intersection with the westerly boundary of the said lot; thence South fifteen degrees four minutes ten seconds East (S. 15° 04' 10" E.) to the southerly boundary of the right-of-way of the Canadian National Railways; thence westerly along the southerly boundary of the said right-of-way to its intersection with the line between the east and west halves of the said Lot 14; thence northerly along this last-mentioned line to the southerly boundary of the said Highway; thence South seventy-nine degrees one minute twenty seconds West (S. 79° 01' 20" W.) along the southerly boundary of the said Highway to its intersection with the production southerly of the line between the east and west halves of Lot 14 in the First Concession of the Township of Blandford; thence northerly along this last-mentioned line to the centre line of the road allowance between the Township of Blandford and the Township of East Oxford; thence easterly along the said centre line to its intersection with a line drawn on a course of North fifteen degrees four minutes ten seconds West (N. 15° 04' 10" W.) through the point of commencement; thence South fifteen degrees four minutes ten seconds East (S. 15° 04' 10" E.) to the point of commencement.

Parcel II

ALL AND SINGULAR that certain parcel or tract of land and premises, situate, lying and being in the Township of East Oxford, in the County of Oxford and Province of Ontario, being composed of lots 24 to 36 inclusive according to Registered Plan No. 573, part of Lot 14, Concession 1, Township of East Oxford, and part of the road allowance between Concessions 1 and 2, Township of East Oxford, the boundaries of said parcel being described as follows:

Commencing at the intersection of the easterly boundary of the said Lot 14 with the southerly boundary of the right-of-way of the Canadian National Railways; thence westerly along the southerly boundary of the said right-of-way to the northwest angle of Lot 34 according to said Registered Plan No. 573; thence southerly along the westerly boundary of the said Lot 34 and its production southerly to the southerly boundary of the road allowance between the First and Second Concessions of the said Township of East Oxford; thence easterly along the said southerly boundary to its intersection with the production southerly of the easterly boundary of the said Lot 14; thence northerly to and thence along the easterly boundary of the said Lot 14 to the point of commencement.

Parcel III

ALL AND SINGULAR that certain parcel or tract of land and premises, situate, lying and being in the Township of East Oxford, in the County of Oxford and Province of Ontario, being composed of part of lots 16, 17 and 18 in the Second Concession of said Township, the boundaries of said parcel being described as follows:

Commencing at a point in the westerly boundary of the said Lot 16 at the distance of two hundred (200.00) feet measured southerly at right angles from the northerly boundary of the said Lot 16; thence southerly along the westerly boundary of the said Lot 16 to a point distant six hundred (600.00) feet southerly at right angles from the southerly boundary of King's Highway No. 401 according to Registered Plan No. 530; thence westerly parallel with the southerly boundary of the said Highway to the line between the east and west halves of Lot 18 in the Second Concession of the said Township; thence southerly along this last-mentioned line and its production southerly to the centre line of the road allowance between the Second and Third Concessions of the said Township; thence westerly along the said centre line to its intersection with the centre line of King's Highway No. 59 according to Registered Plan No. 446; thence southerly along this last-mentioned centre line to its intersection with the production westerly of the southerly boundary of the road allowance between the Second and Third Concessions of the said Township; thence easterly along the said production and thence along the southerly boundary of the said road allowance to its intersection with the production southerly of the line between the east and west halves of the said Lot 16 in the Second Concession of the said Township; thence northerly to and thence along the line between the east and west halves of the said Lot 16 to a point distant two hundred (200.00) feet measured southerly at right angles from the northerly boundary of the said Lot 16; thence westerly parallel with the northerly boundary of the said Lot 16 to the point of commencement.

SCHEDULE B

THIS AGREEMENT made in duplicate this first day of January, 1967.

BETWEEN:

THE CORPORATION OF THE TOWNSHIP OF BLANDFORD,

OF THE FIRST PART,

— and —

THE CORPORATION OF THE CITY OF WOODSTOCK,

OF THE SECOND PART.

WHEREAS by order of the Ontario Municipal Board dated the 26th day of October, 1966, the lands described in Schedule "A" hereto were annexed to the City of Woodstock, effective on the 1st day of January, 1967; and

WHEREAS the Corporation of the City of Woodstock wishes to provide that the residents in the Corporation of the Township of Blandford be not adversely affected by the acquisition of additional lands by the Corporation of the City of Woodstock;

NOW THEREFORE THIS AGREEMENT WITNESSETH and the parties hereto covenant and agree as follows:

1. The Corporation of the City of Woodstock agrees to pay to the Corporation of the Township of Blandford the sum of one thousand, six hundred (\$1,600.00) dollars per year for five years. The first payment shall be made within ten days of the effective date of acquisition of lands described in Schedule "A" attached hereto and an additional one thousand, six hundred (\$1,600.00) dollars on the same date each year until eight thousand (\$8,000.00) dollars has been paid by the City of Woodstock to the Township of Blandford.

IN WITNESS WHEREOF the parties hereto have hereunto affixed their Corporate Seals attested by the hands of the proper officers authorized in that behalf.

THE CORPORATION OF THE TOWNSHIP
OF BLANDFORD:

.....
Reeve.

.....
Clerk.

THE CORPORATION OF THE CITY OF
WOODSTOCK:

.....
Mayor.

.....
Clerk.

*Schedule "A" to By-law**Parcel I*

ALL AND SINGULAR that certain parcel or tract of land and premises, situate, lying and being in the Township of Blandford, in the County of Oxford and Province of Ontario, being composed of part of lots 13 and 14 in the First Concession of the said Township and part of the road allowance between the Township of Blandford and the Township of East Oxford;

PREMISING that bearings herein are referred to the northerly boundary of King's Highway No. 2 across the said Lot 14, which is assumed to have a bearing of North seventy-nine degrees one minute twenty seconds East (N. 79° 01' 20" E.) as shown on Registered Plan No. 402:

Commencing at a point in the northerly boundary of King's Highway No. 2 according to Registered Plan No. 397 at the distance of one thousand and sixty-three and forty-two-hundredths (1063.42) feet measured easterly along said northerly boundary from its intersection with the westerly boundary of said Lot 13; thence North fifteen degrees twelve minutes thirty seconds West (N. 15° 12' 30" W.) twenty and six-hundredths (20.06) feet; thence North fifteen degrees fourteen minutes fifty seconds West (N. 15° 14' 50" W.) two thousand one hundred and fifty-seven and sixty-three-hundredths (2157.63) feet to the line between the north and south halves of said Lot 13; thence westerly along the line between the north and south halves of said lots 13 and 14 to its intersection with the line midway between the east and west halves of said Lot 14; thence southerly along this last-mentioned line to a point three hundred and eighty-six and eighty-eight-hundredths (386.88) feet measured northerly along the said line from its intersection with the northerly boundary of King's Highway No. 2 according to Registered Plan No. 397; thence South seventy-nine degrees eighteen minutes twenty seconds West (S. 79° 18' 20" W.) two hundred and seventy-two and twenty-eight-hundredths (272.28) feet; thence South nine degrees fifty minutes ten seconds East (S. 09° 50' 10" E.) to the centre line of the road allowance between the Township of Blandford and the Township of East Oxford; thence easterly along the said centre line to its intersection with a line drawn on a course of South fifteen degrees twelve minutes thirty seconds East (S. 15° 12' 30" E.) through the point of commencement; thence North fifteen degrees twelve minutes thirty seconds West (N. 15° 12' 30" W.) to the point of commencement.

Parcel II

ALL AND SINGULAR that certain parcel of tract of land and premises, situate, lying and being in the Township of Blandford, in the County of Oxford and Province of Ontario, being composed of part of lots 14 and 15 in the First Concession of said Township, the boundaries of said parcel being described as follows:

Commencing at a point in the westerly boundary of the said Lot 15 distant one thousand (1000.00) feet north of the northerly limit of King's Highway No. 2 according to Registered Plan No. 402; thence in an easterly direction parallel to the north limit of King's Highway No. 2 according to Registered Plan No. 397 to a point midway between the east and west limits of the said Lot 14; thence northerly along the line midway between the east and west limits of the said Lot 14 to its intersection with the line between the north and south halves of the said Lot 14; thence westerly along the line between the north and south halves of the said lots 14 and 15 to its intersection with the westerly limit of the said Lot 15; thence southerly along this last-mentioned limit to the point of commencement.

An Act respecting the City of Woodstock

1st Reading

2nd Reading

3rd Reading

MR. PITTOCK

(Private Bill)

BILL Pr5

5TH SESSION, 27TH LEGISLATURE, ONTARIO
15-16 ELIZABETH II, 1967

An Act respecting the City of Woodstock

MR. PITTOCK

BILL Pr5

1967

An Act respecting the City of Woodstock

WHEREAS The Corporation of the City of Woodstock ^{Preamble}
by its petition has prayed for special legislation in
respect of the matters hereinafter set forth; and whereas it
is expedient to grant the prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent
of the Legislative Assembly of the Province of Ontario, enacts
as follows:

1. The Corporation of the City of Woodstock and The ^{Agreement}
Corporation of the Township of East Oxford are hereby ^{with}
authorized and empowered to enter into the agreement set ^{East Oxford}
forth as Schedule A hereto, and are authorized and em-
powered to carry out and perform the terms thereof.

2. The Corporation of the City of Woodstock and The ^{Agreement}
Corporation of the Township of Blandford are hereby author- ^{with}
ized and empowered to enter into the agreement set forth as ^{Blandford}
Schedule B hereto, and are authorized and empowered to
carry out and perform the terms thereof.

3. The Ontario Municipal Board shall be deemed to have ^{Order of}
issued an order under section 64 of *The Ontario Municipal* ^{OMB}
Board Act authorizing The Corporation of the City of Wood- ^{deemed}
stock and the Corporations of the townships of Blandford ^{issued}
and East Oxford to enter into and carry out and perform the ^{R.S.O. 1960,}
terms of the agreements referred to in sections 1 and 2. ^{c. 274}

4. This Act comes into force on the day it receives Royal ^{Commence-}
Assent. ^{ment}

5. This Act may be cited as *The City of Woodstock Act*, ^{Short title}
1967.

SCHEDULE A

THIS AGREEMENT made in duplicate this first day of January, 1967.

BETWEEN:

THE CORPORATION OF THE TOWNSHIP OF EAST OXFORD,

OF THE FIRST PART,

— and —

THE CORPORATION OF THE CITY OF WOODSTOCK,

OF THE SECOND PART.

WHEREAS by order of the Ontario Municipal Board dated the 26th day of October, 1966, the lands described in Schedule "A" hereto were annexed to the City of Woodstock effective on the 1st day of January, 1967; and

WHEREAS the Corporation of the City of Woodstock wishes to provide that the residents of the Corporation of the Township of East Oxford be not adversely affected by the acquisition of additional land by the Corporation of the City of Woodstock;

NOW THEREFORE THIS AGREEMENT WITNESSETH and the parties hereto covenant and agree as follows:

1. The Corporation of the City of Woodstock agrees to pay to the Corporation of the Township of East Oxford the sum of four thousand, five hundred (\$4,500.00) dollars per year for five years. The first payment shall be made within ten days of the effective date of acquisition of the lands described in Schedule "A" attached hereto and an additional four thousand, five hundred (\$4,500.00) dollars on the same date each year until twenty-two thousand, five hundred (\$22,500.00) dollars has been paid by the City of Woodstock to the Township of East Oxford.

2. The Corporation of the Township of East Oxford shall be responsible for snow-plowing the road between Concessions 2 and 3 of the Township of East Oxford from Highway 59 easterly to the line dividing the east and west halves of Lot 16, Concession 2, and that all other road maintenance on this road shall be carried on by and be the responsibility of the City of Woodstock. The Township of East Oxford agrees to snow-plow this road for a period of five years from the date of annexation, at which time agreement to snow-plow this road may be re-negotiated.

3. The City of Woodstock agrees to pay two hundred (\$200.00) dollars to the Township of East Oxford for expenses that may be incurred by the Township.

IN WITNESS WHEREOF the parties hereto have hereunto affixed their Corporate Seals attested by the hands of the proper officers authorized in that behalf.

THE CORPORATION OF THE TOWNSHIP
OF EAST OXFORD:

.....
Reeve.

.....
Clerk.

THE CORPORATION OF THE CITY OF
WOODSTOCK:

.....
Mayor.

.....
Clerk.

*Schedule "A" to By-law**Parcel I*

ALL AND SINGULAR that certain parcel or tract of land and premises, situate, lying and being in the Township of East Oxford, in the County of Oxford and Province of Ontario, being composed of part of Lot 14 in the First Concession of said Township, and part of the road allowance between the Township of East Oxford and the Township of Blandford, the boundaries of said parcel being described as follows:

PREMISING that bearings herein are related to the southerly boundary of King's Highway No. 2 as widened by Registered Plan No. 402, which is assumed to have a bearing of North seventy-nine degrees one minute twenty seconds East (N. 79° 01' 20" E.) across the westerly portion of the said lot;

Commencing at a point in the southerly boundary of King's Highway No. 2 as widened by Registered Plan No. 402 at the distance of one thousand two hundred and seventy-eight and eighty-nine-hundredths (1278.89) feet measured easterly along said southerly boundary from its intersection with the westerly boundary of the said lot; thence South fifteen degrees four minutes ten seconds East (S. 15° 04' 10" E.) to the southerly boundary of the right-of-way of the Canadian National Railways; thence westerly along the southerly boundary of the said right-of-way to its intersection with the line between the east and west halves of the said Lot 14; thence northerly along this last-mentioned line to the southerly boundary of the said Highway; thence South seventy-nine degrees one minute twenty seconds West (S. 79° 01' 20" W.) along the southerly boundary of the said Highway to its intersection with the production southerly of the line between the east and west halves of Lot 14 in the First Concession of the Township of Blandford; thence northerly along this last-mentioned line to the centre line of the road allowance between the Township of Blandford and the Township of East Oxford; thence easterly along the said centre line to its intersection with a line drawn on a course of North fifteen degrees four minutes ten seconds West (N. 15° 04' 10" W.) through the point of commencement; thence South fifteen degrees four minutes ten seconds East (S. 15° 04' 10" E.) to the point of commencement.

Parcel II

ALL AND SINGULAR that certain parcel or tract of land and premises, situate, lying and being in the Township of East Oxford, in the County of Oxford and Province of Ontario, being composed of lots 24 to 36 inclusive according to Registered Plan No. 573, part of Lot 14, Concession 1, Township of East Oxford, and part of the road allowance between Concessions 1 and 2, Township of East Oxford, the boundaries of said parcel being described as follows:

Commencing at the intersection of the easterly boundary of the said Lot 14 with the southerly boundary of the right-of-way of the Canadian National Railways; thence westerly along the southerly boundary of the said right-of-way to the northwest angle of Lot 34 according to said Registered Plan No. 573; thence southerly along the westerly boundary of the said Lot 34 and its production southerly to the southerly boundary of the road allowance between the First and Second Concessions of the said Township of East Oxford; thence easterly along the said southerly boundary to its intersection with the production southerly of the easterly boundary of the said Lot 14; thence northerly to and thence along the easterly boundary of the said Lot 14 to the point of commencement.

Parcel III

ALL AND SINGULAR that certain parcel or tract of land and premises, situate, lying and being in the Township of East Oxford, in the County of Oxford and Province of Ontario, being composed of part of lots 16, 17 and 18 in the Second Concession of said Township, the boundaries of said parcel being described as follows:

Commencing at a point in the westerly boundary of the said Lot 16 at the distance of two hundred (200.00) feet measured southerly at right angles from the northerly boundary of the said Lot 16; thence southerly along the westerly boundary of the said Lot 16 to a point distant six hundred (600.00) feet southerly at right angles from the southerly boundary of King's Highway No. 401 according to Registered Plan No. 530; thence westerly parallel with the southerly boundary of the said Highway to the line between the east and west halves of Lot 18 in the Second Concession of the said Township; thence southerly along this last-mentioned line and its production southerly to the centre line of the road allowance between the Second and Third Concessions of the said Township; thence westerly along the said centre line to its intersection with the centre line of King's Highway No. 59 according to Registered Plan No. 446; thence southerly along this last-mentioned centre line to its intersection with the production westerly of the southerly boundary of the road allowance between the Second and Third Concessions of the said Township; thence easterly along the said production and thence along the southerly boundary of the said road allowance to its intersection with the production southerly of the line between the east and west halves of the said Lot 16 in the Second Concession of the said Township; thence northerly to and thence along the line between the east and west halves of the said Lot 16 to a point distant two hundred (200.00) feet measured southerly at right angles from the northerly boundary of the said Lot 16; thence westerly parallel with the northerly boundary of the said Lot 16 to the point of commencement.

SCHEDULE B

THIS AGREEMENT made in duplicate this first day of January, 1967.

BETWEEN:

THE CORPORATION OF THE TOWNSHIP OF BLANDFORD,

OF THE FIRST PART,

— and —

THE CORPORATION OF THE CITY OF WOODSTOCK,

OF THE SECOND PART.

WHEREAS by order of the Ontario Municipal Board dated the 26th day of October, 1966, the lands described in Schedule "A" hereto were annexed to the City of Woodstock, effective on the 1st day of January, 1967; and

WHEREAS the Corporation of the City of Woodstock wishes to provide that the residents in the Corporation of the Township of Blandford be not adversely affected by the acquisition of additional lands by the Corporation of the City of Woodstock;

NOW THEREFORE THIS AGREEMENT WITNESSETH and the parties hereto covenant and agree as follows:

1. The Corporation of the City of Woodstock agrees to pay to the Corporation of the Township of Blandford the sum of one thousand, six hundred (\$1,600.00) dollars per year for five years. The first payment shall be made within ten days of the effective date of acquisition of lands described in Schedule "A" attached hereto and an additional one thousand, six hundred (\$1,600.00) dollars on the same date each year until eight thousand (\$8,000.00) dollars has been paid by the City of Woodstock to the Township of Blandford.

IN WITNESS WHEREOF the parties hereto have hereunto affixed their Corporate Seals attested by the hands of the proper officers authorized in that behalf.

THE CORPORATION OF THE TOWNSHIP
OF BLANDFORD:

.....
Reeve.

.....
Clerk.

THE CORPORATION OF THE CITY OF
WOODSTOCK:

.....
Mayor.

.....
Clerk.

*Schedule "A" to By-law**Parcel I*

ALL AND SINGULAR that certain parcel or tract of land and premises, situate, lying and being in the Township of Blandford, in the County of Oxford and Province of Ontario, being composed of part of lots 13 and 14 in the First Concession of the said Township and part of the road allowance between the Township of Blandford and the Township of East Oxford;

PREMISING that bearings herein are referred to the northerly boundary of King's Highway No. 2 across the said Lot 14, which is assumed to have a bearing of North seventy-nine degrees one minute twenty seconds East (N. 79° 01' 20" E.) as shown on Registered Plan No. 402:

Commencing at a point in the northerly boundary of King's Highway No. 2 according to Registered Plan No. 397 at the distance of one thousand and sixty-three and forty-two-hundredths (1063.42) feet measured easterly along said northerly boundary from its intersection with the westerly boundary of said Lot 13; thence North fifteen degrees twelve minutes thirty seconds West (N. 15° 12' 30" W.) twenty and six-hundredths (20.06) feet; thence North fifteen degrees fourteen minutes fifty seconds West (N. 15° 14' 50" W.) two thousand one hundred and fifty-seven and sixty-three-hundredths (2157.63) feet to the line between the north and south halves of said Lot 13; thence westerly along the line between the north and south halves of said lots 13 and 14 to its intersection with the line midway between the east and west halves of said Lot 14; thence southerly along this last-mentioned line to a point three hundred and eighty-six and eighty-eight-hundredths (386.88) feet measured northerly along the said line from its intersection with the northerly boundary of King's Highway No. 2 according to Registered Plan No. 397; thence South seventy-nine degrees eighteen minutes twenty seconds West (S. 79° 18' 20" W.) two hundred and seventy-two and twenty-eight-hundredths (272.28) feet; thence South nine degrees fifty minutes ten seconds East (S. 09° 50' 10" E.) to the centre line of the road allowance between the Township of Blandford and the Township of East Oxford; thence easterly along the said centre line to its intersection with a line drawn on a course of South fifteen degrees twelve minutes thirty seconds East (S. 15° 12' 30" E.) through the point of commencement; thence North fifteen degrees twelve minutes thirty seconds West (N. 15° 12' 30" W.) to the point of commencement.

Parcel II

ALL AND SINGULAR that certain parcel of tract of land and premises, situate, lying and being in the Township of Blandford, in the County of Oxford and Province of Ontario, being composed of part of lots 14 and 15 in the First Concession of said Township, the boundaries of said parcel being described as follows:

Commencing at a point in the westerly boundary of the said Lot 15 distant one thousand (1000.00) feet north of the northerly limit of King's Highway No. 2 according to Registered Plan No. 402; thence in an easterly direction parallel to the north limit of King's Highway No. 2 according to Registered Plan No. 397 to a point midway between the east and west limits of the said Lot 14; thence northerly along the line midway between the east and west limits of the said Lot 14 to its intersection with the line between the north and south halves of the said Lot 14; thence westerly along the line between the north and south halves of the said lots 14 and 15 to its intersection with the westerly limit of the said Lot 15; thence southerly along this last-mentioned limit to the point of commencement.

An Act respecting the City of Woodstock

1st Reading

February 2nd, 1967

2nd Reading

February 23rd, 1967

3rd Reading

February 27th, 1967

MR. PITTOCK

1967

BILL Pr6

5TH SESSION, 27TH LEGISLATURE, ONTARIO
15-16 ELIZABETH II, 1967

An Act respecting The Empire Life Insurance Company

MR. APPS

(PRIVATE BILL)

BILL Pr6

1967

An Act respecting The Empire Life Insurance Company

WHEREAS The Empire Life Insurance Company, and Preamble
in French, L'Empire, Compagnie d'Assurance-Vie,
hereinafter called the Company, by its petition has represented
that it was incorporated under the laws of the Province of
Ontario by letters patent bearing date the 11th day of
January, 1923; and whereas the Company desires to be con-
tinued under the jurisdiction of the Parliament of Canada;
and whereas the petitioner has prayed for special legislation for
such purposes; and whereas it is expedient to grant the prayer
of the petition;

Therefore, Her Majesty, by and with the advice and consent
of the Legislative Assembly of the Province of Ontario, enacts
as follows:

1. Subject to authorization by special resolution under Application
to
Parliament
of Canada
authorized
R.S.O. 1960,
c. 71
The Corporations Act, the Company may apply to the Par-
liament of Canada for a special Act continuing the Company
as if it had been incorporated under the laws of Canada and
providing, *inter alia*, that all rights and interests of the share-
holders, policyholders and creditors of the Company in, to
or against the property, rights and assets of the Company and
all liens upon the property, rights and assets of the Company
are unimpaired by such continuation.

2. Upon the coming into force of the special Act referred Application
of
R.S.O. 1960,
c. 71
to in section 1, the Company shall file with the Provincial
Secretary proof of the enactment and coming into force of
such special Act, and, on and after the date of the filing of such
notice, *The Corporations Act* and any successor thereto ceases
to apply to the Company.

3. The Provincial Secretary may, on receipt by him of Certificate
proof of the enactment and coming into force of the special
Act referred to in section 1, issue a certificate to the Company
confirming the date on which the provisions of section 2 take
effect.

Commence-
ment

4. This Act shall be deemed to have come into force on the 1st day of January, 1967.

Short title

5. This Act may be cited as *The Empire Life Insurance Company Act, 1967*.

An Act respecting
The Empire Life Insurance Company

1st Reading

2nd Reading

3rd Reading

MR. APPS

(Private Bill)

BILL Pr6

5TH SESSION, 27TH LEGISLATURE, ONTARIO
15-16 ELIZABETH II, 1967

An Act respecting The Empire Life Insurance Company

Mr. APPS

TORONTO

PRINTED AND PUBLISHED BY FRANK FOGG, QUEEN'S PRINTER

BILL Pr6

1967

An Act respecting The Empire Life Insurance Company

WHEREAS The Empire Life Insurance Company, and Preamble
in French, L'Empire, Compagnie d'Assurance-Vie,
hereinafter called the Company, by its petition has represented
that it was incorporated under the laws of the Province of
Ontario by letters patent bearing date the 11th day of
January, 1923; and whereas the Company desires to be con-
tinued under the jurisdiction of the Parliament of Canada;
and whereas the petitioner has prayed for special legislation for
such purposes; and whereas it is expedient to grant the prayer
of the petition;

Therefore, Her Majesty, by and with the advice and consent
of the Legislative Assembly of the Province of Ontario, enacts
as follows:

1. Subject to authorization by special resolution under Application
to
Parliament
of Canada
authorized
R.S.O. 1960,
c. 71
The Corporations Act, the Company may apply to the Par-
liament of Canada for a special Act continuing the Company
as if it had been incorporated under the laws of Canada and
providing, *inter alia*, that all rights and interests of the share-
holders, policyholders and creditors of the Company in, to
or against the property, rights and assets of the Company and
all liens upon the property, rights and assets of the Company
are unimpaired by such continuation.

2. Upon the coming into force of the special Act referred Application
of
R.S.O. 1960,
c. 71
to in section 1, the Company shall file with the Provincial
Secretary proof of the enactment and coming into force of
such special Act, and, on and after the date of the filing of such
notice, *The Corporations Act* and any successor thereto ceases
to apply to the Company.

3. The Provincial Secretary may, on receipt by him of Certificate
proof of the enactment and coming into force of the special
Act referred to in section 1, issue a certificate to the Company
confirming the date on which the provisions of section 2 take
effect.

Short title

219, 1987]

An Act respecting
The Empire Life Insurance Company

1st Reading

February 2nd, 1967

2nd Reading

February 16th, 1967

3rd Reading

February 21st, 1967

MR. APPS

BILL Pr7

5TH SESSION, 27TH LEGISLATURE, ONTARIO
15-16 ELIZABETH II, 1967

An Act respecting the Municipality of Neebing

MR. FREEMAN

(PRIVATE BILL)

BILL Pr7

1967

An Act respecting the Municipality of Neebing

WHEREAS The Corporation of the Municipality of Neebing by its petition has prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1.—(1) Subsection 2 of section 1 of *The Municipality of Neebing Act, 1952*, as enacted by section 1 of *The Municipality of Neebing Act, 1957*, is repealed. 1952, c. 126,
s. 1, subs. 2
(1957, c. 146,
s. 1),
repealed

(2) All assets and liabilities of the respective wards of the Municipality of Neebing immediately before this Act comes into force shall, upon the coming into force of this Act, become the assets and liabilities of the Municipality of Neebing as a whole. Assets and
liabilities
of wards

2. Section 2 of *The Municipality of Neebing Act, 1952* is repealed and the following substituted therefor: 1952, c. 126,
s. 2,
re-enacted

2.—(1) The council of The Corporation of the Municipality of Neebing shall consist of one reeve and six councillors, Composition
of
council

(a) two councillors to be elected by the electors of the ward of Neebing North;

(b) one councillor to be elected by the electors of the ward of Neebing South;

(c) one councillor to be elected by the electors of the ward of Blake;

(d) one councillor to be elected by the electors of the ward of Crooks;

(e) one councillor to be elected by the electors of the ward of Pardee; and

(f) a reeve to be elected by the general vote of the whole municipality.

Appoint-
ment
of deputy
reeve

(2) At the first meeting of council for the year next following an election, a deputy reeve shall be appointed by by-law from among the councillors, who shall act in the place and stead of the reeve during any absence of the reeve.

Composition
of public
school
board

2a.—(1) The Public School Board of the Township School Area of the Municipality of Neebing shall be composed of seven trustees,

(a) three to be elected by the electors of the ward of Neebing North;

(b) one to be elected by the electors of the ward of Neebing South;

(c) one to be elected by the electors of the ward of Blake;

(d) one to be elected by the electors of the ward of Crooks; and

(e) one to be elected by the electors of the ward of Pardee,

R.S.O. 1960,
c. 330

such trustees to be elected in accordance with *The Public Schools Act*.

Provision
for composi-
tion of board
of education
R.S.O. 1960,
c. 362

(2) Where a board of education is established for The Corporation of the Municipality of Neebing in accordance with *The Secondary Schools and Boards of Education Act*, the number of elected members of the board shall be seven,

(a) three to be elected by the electors of the ward of Neebing North;

(b) one to be elected by the electors of the ward of Neebing South;

(c) one to be elected by the electors of the ward of Blake;

(d) one to be elected by the electors of the ward of Crooks; and

- (e) one to be elected by the electors of the ward of Pardee,

such members to be elected in accordance with *The R.S.O. 1960, c. 362*
Secondary Schools and Boards of Education Act.

3. The council of the Municipality of Neebing may pass ^{Proceedings for first election} by-laws providing for the holding of nominations, for polling places for the electors of the municipality and for all other purposes necessary for the holding of elections before the coming into force of this Act.

4. This Act comes into force on the 1st day of January, ^{Commence-} 1968. ^{ment}

5. This Act may be cited as *The Municipality of Neebing* ^{Short title}
Act, 1967.

An Act respecting the
Municipality of Neebing

1st Reading

February 2nd, 1967

2nd Reading

3rd Reading

MR. FREEMAN

(Private Bill)

BILL Pr7

5TH SESSION, 27TH LEGISLATURE, ONTARIO
15-16 ELIZABETH II, 1967

An Act respecting the Municipality of Neebing

MR. FREEMAN

(Reprinted as amended by the Committee on Private Bills)

BILL Pr7

1967

An Act respecting the Municipality of Neebing

WHEREAS The Corporation of the Municipality of Neebing by its petition has prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1.—(1) Subsection 2 of section 1 of *The Municipality of Neebing Act, 1952*, as enacted by section 1 of *The Municipality of Neebing Act, 1957*, is repealed. Preamble
1952, c. 126,
s. 1, subs. 2
(1957, c. 146,
s. 1),
repealed

(2) All assets and liabilities of the respective wards of the Municipality of Neebing immediately before this Act comes into force shall, upon the coming into force of this Act, become the assets and liabilities of the Municipality of Neebing as a whole. Assets and
liabilities
of wards

2. Section 2 of *The Municipality of Neebing Act, 1952* is repealed and the following substituted therefor: 1952, c. 126,
s. 2,
re-enacted

2. The Council of The Corporation of the Municipality of Neebing shall consist of one reeve and six councillors, Composition
of
council

- (a) two councillors to be elected by the electors of the ward of Neebing North;
- (b) one councillor to be elected by the electors of the ward of Neebing South;
- (c) one councillor to be elected by the electors of the ward of Blake;
- (d) one councillor to be elected by the electors of the ward of Crooks;

(e) one councillor to be elected by the electors of the ward of Pardee; and

(f) a reeve to be elected by the general vote of the whole municipality.

Composition
of public
school
board

2a. The Public School Board of the Township School Area of the Municipality of Neebing shall be composed of seven trustees,

(a) three to be elected by the electors of the ward of Neebing North;

(b) one to be elected by the electors of the ward of Neebing South;

(c) one to be elected by the electors of the ward of Blake;

(d) one to be elected by the electors of the ward of Crooks; and

(e) one to be elected by the electors of the ward of Pardee,

R.S.O. 1960,
c. 330

such trustees to be elected in accordance with *The Public Schools Act*.

Proceedings
for first
election

3. The council of the Municipality of Neebing may pass by-laws providing for the holding of nominations, for polling places for the electors of the municipality and for all other purposes necessary for the holding of elections before the coming into force of this Act.

Commence-
ment

4. This Act comes into force on the 1st day of January, 1968.

Short title

5. This Act may be cited as *The Municipality of Neebing Act, 1967*.

An Act respecting the
Municipality of Neebing

1st Reading

February 2nd, 1967

2nd Reading

3rd Reading

MR. FREEMAN

(Reprinted as amended by the
Committee on Private Bills)

BILL Pr7

5TH SESSION, 27TH LEGISLATURE, ONTARIO
15-16 ELIZABETH II, 1967

An Act respecting the Municipality of Neebing

MR. FREEMAN

TORONTO

PRINTED AND PUBLISHED BY FRANK FOGG, QUEEN'S PRINTER

BILL Pr7 **1967**

**An Act respecting the
Municipality of Neebing**

WHEREAS The Corporation of the Municipality of Neebing by its petition has prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1.—(1) Subsection 2 of section 1 of *The Municipality of Neebing Act, 1952*, as enacted by section 1 of *The Municipality of Neebing Act, 1957*, is repealed. 1952, c. 126, s. 1, subs. 2 (1957, c. 146, s. 1), repealed

(2) All assets and liabilities of the respective wards of the Municipality of Neebing immediately before this Act comes into force shall, upon the coming into force of this Act, become the assets and liabilities of the Municipality of Neebing as a whole. Assets and liabilities of wards

2. Section 2 of *The Municipality of Neebing Act, 1952* is repealed and the following substituted therefor: 1952, c. 126, s. 2, re-enacted

2. The Council of The Corporation of the Municipality of Neebing shall consist of one reeve and six councillors, Composition of council

- (a) two councillors to be elected by the electors of the ward of Neebing North;
- (b) one councillor to be elected by the electors of the ward of Neebing South;
- (c) one councillor to be elected by the electors of the ward of Blake;
- (d) one councillor to be elected by the electors of the ward of Crooks;

- (e) one councillor to be elected by the electors of the ward of Pardee; and
- (f) a reeve to be elected by the general vote of the whole municipality.

Composition
of public
school
board

2a. The Public School Board of the Township School Area of the Municipality of Neebing shall be composed of seven trustees,

- (a) three to be elected by the electors of the ward of Neebing North;
- (b) one to be elected by the electors of the ward of Neebing South;
- (c) one to be elected by the electors of the ward of Blake;
- (d) one to be elected by the electors of the ward of Crooks; and
- (e) one to be elected by the electors of the ward of Pardee,

R.S.O. 1960,
c. 330

such trustees to be elected in accordance with *The Public Schools Act*.

Proceedings
for first
election

3. The council of the Municipality of Neebing may pass by-laws providing for the holding of nominations, for polling places for the electors of the municipality and for all other purposes necessary for the holding of elections before the coming into force of this Act.

Commence-
ment

4. This Act comes into force on the 1st day of January, 1968.

Short title

5. This Act may be cited as *The Municipality of Neebing Act, 1967*.

An Act respecting the
Municipality of Neebing

1st Reading

February 2nd, 1967

2nd Reading

February 23rd, 1967

3rd Reading

February 27th, 1967

MR. FREEMAN

BILL Pr8

5TH SESSION, 27TH LEGISLATURE, ONTARIO
15-16 ELIZABETH II, 1967

An Act respecting the College of the Dominican or Friar Preachers of Ottawa

MR. RACINE

(PRIVATE BILL)

BILL Pr8 *introduced and read first time* **1967**

An Act respecting the College of the Dominican or Friar Preachers of Ottawa

WHEREAS the Dominican or Friar Preachers of Ottawa ^{Preamble} by its petition has represented that it was incorporated under the provisions of *An Act respecting Benevolent, Provident and other Societies*, being chapter 172 of the Revised Statutes of Ontario, 1887, for the object of teaching theology and philosophy; and whereas letters patent incorporating the members of the said Corporation as a corporation under *The Ontario Companies Act*, being chapter 34 of the Statutes of Ontario, 1907, were issued on the 31st day of March, 1909 with the same objects; and whereas it has since 1910 conducted and maintained a college of learning for the teaching of philosophy and theology; and whereas the petitioner desires that its College have powers similar to those of other religious institutions of learning to grant such degrees in philosophy and theology as the Academic Council of its College may from time to time deem meet; and whereas the petitioner has prayed for special legislation conferring on the Academic Council of its College the power to grant university degrees in theology and philosophy, including honorary degrees therein, and to appoint a Chancellor for the purpose of conferring such degrees; and whereas it is expedient to grant the prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. In this Act,

**Interpre-
tation**

- (a) "Academic Council" means the Academic Council of the College consisting of the Chancellor, the Regent of Studies, the Vice-Regent of Studies, the Master of Studies and the Directors of the departments of philosophy, theology and pastoral theology;
- (b) "College" means the College of the Dominican or Friar Preachers of Ottawa.

Chancellor **2.** The Chancellor of the College shall be appointed by the governing body of the Dominican or Friar Preachers of Ottawa.

Power to grant degrees in philosophy and theology **3.—(1)** The Academic Council shall have the power to grant university degrees, including honorary degrees, in philosophy and theology, including applied or pastoral theology, to such persons as the Academic Council from time to time may deem to have the necessary qualifications therefor, subject to such examinations or otherwise as may from time to time be prescribed by the said Academic Council.

Conferral of degrees **(2)** All such degrees shall be conferred by the Chancellor or, in the case of his absence or of there being a vacancy in the office, by the Regent of Studies of the College or, in the case of the absence of both of them or of both offices being vacant, by a member of the Academic Council appointed for the purpose by the Academic Council.

Commencement **4.** This Act comes into force on the day it receives Royal Assent.

Short title **5.** This Act may be cited as *The Dominican or Friar Preachers of Ottawa College Act, 1967*.

AN ACT RESPECTING THE COLLEGE OF THE
DOMINICAN OR FRIAR PREACHERS OF OTTAWA

1st Reading

2nd Reading

3rd Reading

MR. RACINE

(Private Bill)

BILL Pr8

5TH SESSION, 27TH LEGISLATURE, ONTARIO
15-16 ELIZABETH II, 1967

An Act respecting the College of the Dominican or Friar Preachers of Ottawa

MR. RACINE

TORONTO

PRINTED AND PUBLISHED BY FRANK FOGG, QUEEN'S PRINTER

BILL Pr8 *before printed in the Debates of the Legislature of Ontario* **1967**

An Act respecting the College of the Dominican or Friar Preachers of Ottawa

WHEREAS the Dominican or Friar Preachers of Ottawa Preamble
by its petition has represented that it was incorporated under the provisions of *An Act respecting Benevolent, Provident and other Societies*, being chapter 172 of the Revised Statutes of Ontario, 1887, for the object of teaching theology and philosophy; and whereas letters patent incorporating the members of the said Corporation as a corporation under *The Ontario Companies Act*, being chapter 34 of the Statutes of Ontario, 1907, were issued on the 31st day of March, 1909 with the same objects; and whereas it has since 1910 conducted and maintained a college of learning for the teaching of philosophy and theology; and whereas the petitioner desires that its College have powers similar to those of other religious institutions of learning to grant such degrees in philosophy and theology as the Academic Council of its College may from time to time deem meet; and whereas the petitioner has prayed for special legislation conferring on the Academic Council of its College the power to grant university degrees in theology and philosophy, including honorary degrees therein, and to appoint a Chancellor for the purpose of conferring such degrees; and whereas it is expedient to grant the prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. In this Act,

Interpre-
tation

- (a) "Academic Council" means the Academic Council of the College consisting of the Chancellor, the Regent of Studies, the Vice-Regent of Studies, the Master of Studies and the Directors of the departments of philosophy, theology and pastoral theology;
- (b) "College" means the College of the Dominican or Friar Preachers of Ottawa.

- Chancellor** **2.** The Chancellor of the College shall be appointed by the governing body of the Dominican or Friar Preachers of Ottawa.
- Power to grant degrees in philosophy and theology** **3.—(1)** The Academic Council shall have the power to grant university degrees, including honorary degrees, in philosophy and theology, including applied or pastoral theology, to such persons as the Academic Council from time to time may deem to have the necessary qualifications therefor, subject to such examinations or otherwise as may from time to time be prescribed by the said Academic Council.
- Conferral of degrees** **(2)** All such degrees shall be conferred by the Chancellor or, in the case of his absence or of there being a vacancy in the office, by the Regent of Studies of the College or, in the case of the absence of both of them or of both offices being vacant, by a member of the Academic Council appointed for the purpose by the Academic Council.
- Commencement** **4.** This Act comes into force on the day it receives Royal Assent.
- Short title** **5.** This Act may be cited as *The Dominican or Friar Preachers of Ottawa College Act, 1967*.

An Act respecting the College of the
Dominican or Friar Preachers of Ottawa

1st Reading

February 2nd, 1967

2nd Reading

February 16th, 1967

3rd Reading

February 24th, 1967

MR. RACINE

BILL Pr9

5TH SESSION, 27TH LEGISLATURE, ONTARIO
15-16 ELIZABETH II, 1967

An Act respecting Provincial Butchers and Machinery Company Limited

MR. LAWRENCE (St. George)

(PRIVATE BILL)

BILL Pr9

1967

An Act respecting Provincial Butchers and Machinery Company Limited

WHEREAS Leonard W. Long, Jessie Long and Arthur Long by their petition have represented that Provincial Butchers and Machinery Company Limited, herein called "the Corporation", was incorporated by letters patent dated the 17th day of April, 1944; that the Honourable the Lieutenant Governor of the Province of Ontario, by Order dated the 25th day of March, 1964 and made under the authority of subsection 2 of section 326 of *The Corporations Act*, cancelled the letters patent of the Corporation and declared it to be dissolved on the 29th day of April, 1965; that the petitioners were all the directors and the holders of all the common shares of the Corporation at the time of its dissolution; that the notice of default in filing annual returns required by the said subsection 2 of section 326 of *The Corporations Act*, although sent to each of the petitioners as directors, was not received by any of them and none of them was aware of the dissolution of the Corporation until more than one year after the date thereof; that the Corporation at the time of its dissolution was carrying on an active commercial business and was registered as the owner of real property in the County of York in the Province of Ontario; and whereas the petitioners have prayed for special legislation reviving the Corporation; and whereas it is expedient to grant the prayer of the petitioners;

Preamble

R.S.O. 1960,
c. 71

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Provincial Butchers and Machinery Company Limited incorporated by letters patent dated the 17th day of April, 1944 is hereby revived and is, subject to any rights acquired by any person after its dissolution, hereby restored to its legal position, including all its property, rights, privileges and franchises and subject to all its liabilities, contracts, disabilities, and debts as at the date of its dissolution in the same manner and to the same extent as if it had not been dissolved.

Provincial
Butchers
and
Machinery
Company
Limited
revived

Commence-
ment

2. This Act comes into force on the day it receives Royal Assent.

Short title

3. This Act may be cited as *The Provincial Butchers and Machinery Company Limited Act, 1967*.

An Act respecting Provincial Butchers
and Machinery Company Limited

1st Reading

2nd Reading

3rd Reading

MR. LAWRENCE (St. George)

(Private Bill)

BILL Pr9

5TH SESSION, 27TH LEGISLATURE, ONTARIO
15-16 ELIZABETH II, 1967

An Act respecting Provincial Butchers Machinery Company Limited

MR. LAWRENCE (St. George)

(Reprinted as amended by the Committee on Private Bills)

The following is a list of the names of the persons who have been named in the following list of names.

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Name	Address	City	State	Country	Occupation	Age	Sex	Religion
1	2	3	4	5	6	7	8	9
10	11	12	13	14	15	16	17	18
19	20	21	22	23	24	25	26	27
28	29	30	31	32	33	34	35	36
37	38	39	40	41	42	43	44	45
46	47	48	49	50	51	52	53	54
55	56	57	58	59	60	61	62	63
64	65	66	67	68	69	70	71	72
73	74	75	76	77	78	79	80	81

The following is a list of the names of the persons who have been named in the following list of names.

BILL Pr9

1967

An Act respecting Provincial Butchers Machinery Company Limited

WHEREAS Leonard W. Long, Jessie Long and Arthur Long by their petition have represented that Provincial Butchers Machinery Company Limited, herein called "the Corporation", was incorporated by letters patent dated the 17th day of April, 1944; that the Honourable the Lieutenant Governor of the Province of Ontario, by Order dated the 25th day of March, 1964 and made under the authority of subsection 2 of section 326 of *The Corporations Act*, cancelled the letters patent of the Corporation and declared it to be dissolved on the 29th day of April, 1965; that the petitioners were all the directors and the holders of all the common shares of the Corporation at the time of its dissolution; that the notice of default in filing annual returns required by the said subsection 2 of section 326 of *The Corporations Act*, although sent to each of the petitioners as directors, was not received by any of them and none of them was aware of the dissolution of the Corporation until more than one year after the date thereof; that the Corporation at the time of its dissolution was carrying on an active commercial business and was registered as the owner of real property in the County of York in the Province of Ontario; and whereas the petitioners have prayed for special legislation reviving the Corporation; and whereas it is expedient to grant the prayer of the petitioners;

Preamble

R.S.O. 1960,
c. 71

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Provincial Butchers Machinery Company Limited incorporated by letters patent dated the 17th day of April, 1944 is hereby revived and is, subject to any rights acquired by any person after its dissolution, hereby restored to its legal position as a company incorporated by letters patent, including all its property, rights, privileges and franchises and subject to all its liabilities, contracts, disabilities, and debts as at the date of its dissolution in the same manner and to the same extent as if it had not been dissolved.

Provincial
Butchers
Machinery
Company
Limited
revived

Commence-
ment

2. This Act comes into force on the day it receives Royal Assent.

Short title

3. This Act may be cited as *The Provincial Butchers Machinery Company Limited Act, 1967*.

972 LEE

Mathematics Department, University of Illinois at Chicago, Chicago, IL 60607

An Act respecting Provincial Butchers
Machinery Company Limited

1st Reading

February 2nd, 1967

2nd Reading

3rd Reading

MR. LAWRENCE (St. George)

*(Reprinted as amended by the
Committee on Private Bills)*

BILL Pr9

5TH SESSION, 27TH LEGISLATURE, ONTARIO
15-16 ELIZABETH II, 1967

An Act respecting Provincial Butchers' Machinery Company Limited

MR. LAWRENCE (St. George)

TORONTO

PRINTED AND PUBLISHED BY FRANK FOGG, QUEEN'S PRINTER

BILL Pr9

1967

An Act respecting Provincial Butchers' Machinery Company Limited

WHEREAS Leonard W. Long, Jessie Long and Arthur Long by their petition have represented that Provincial Butchers' Machinery Company Limited, herein called "the Corporation", was incorporated by letters patent dated the 17th day of April, 1944; that the Honourable the Lieutenant Governor of the Province of Ontario, by Order dated the 25th day of March, 1964 and made under the authority of subsection 2 of section 326 of *The Corporations Act*, cancelled the letters patent of the Corporation and declared it to be dissolved on the 29th day of April, 1965; that the petitioners were all the directors and the holders of all the common shares of the Corporation at the time of its dissolution; that the notice of default in filing annual returns required by the said subsection 2 of section 326 of *The Corporations Act*, although sent to each of the petitioners as directors, was not received by any of them and none of them was aware of the dissolution of the Corporation until more than one year after the date thereof; that the Corporation at the time of its dissolution was carrying on an active commercial business and was registered as the owner of real property in the County of York in the Province of Ontario; and whereas the petitioners have prayed for special legislation reviving the Corporation; and whereas it is expedient to grant the prayer of the petitioners;

Preamble

R.S.O. 1960,
O. 71

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Provincial Butchers' Machinery Company Limited incorporated by letters patent dated the 17th day of April, 1944 is hereby revived and is, subject to any rights acquired by any person after its dissolution, hereby restored to its legal position as a company incorporated by letters patent, including all its property, rights, privileges and franchises and subject to all its liabilities, contracts, disabilities, and debts as at the date of its dissolution in the same manner and to the same extent as if it had not been dissolved.

Provincial
Butchers'
Machinery
Company
Limited
revived

Commence-
ment

2. This Act comes into force on the day it receives Royal Assent.

Short title

3. This Act may be cited as *The Provincial Butchers' Machinery Company Limited Act, 1967*.

An Act respecting 'Provincial Butchers'
Machinery Company Limited

1st Reading

February 2nd, 1967

2nd Reading

February 16th, 1967

3rd Reading

February 24th, 1967

MR. LAWRENCE (St. George)

BILL Pr10

5TH SESSION, 27TH LEGISLATURE, ONTARIO
15-16 ELIZABETH II, 1967

An Act respecting the Borough of East York

MR. BECKETT

(PRIVATE BILL)

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BILL Pr10

1967

An Act respecting the Borough of East York

WHEREAS The Corporation of the Borough of East York, herein called the Corporation, by its petition has prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the petition; Preamble

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Subsection 2 of section 2 of *The Township of East York Act, 1965* is repealed and the following substituted therefor: 1965, c. 150,
s. 2, subs. 2,
re-enacted

(2) Before passing a by-law under this section, notice of the intention of the council to pass the same shall be sent by prepaid mail to all persons who are shown in the last revised assessment roll of the municipality as having the qualifications of municipal electors in respect of land abutting on the highways or parts thereof to be designated as aforesaid, at the addresses respectively shown for such persons in such roll. Notice to
electors

(2a) Unless a petition objecting to the passing of the proposed by-law, signed by at least two-thirds of the persons entitled to notice as aforesaid, is received by the clerk of the Corporation within one month next following the latest day of the mailing of any such notices, the council may pass the by-law, but, if a petition objecting to the passing of the proposed by-law, signed by at least two-thirds of the persons entitled to notice as aforesaid, is received by the clerk of the Corporation within such time, the council shall not pass the by-law. Petition

(2b) Where the council of the Corporation has proceeded under this section and has been prevented from passing the proposed by-law by reason of a petition Saving

objecting thereto having been presented under subsection 2a, the council may again proceed under this section in respect of the highways or parts thereof proposed to be designated by such by-law at any time after the expiry of the two years next following the presentation of the petition.

Tax credit
for old age
pensioners

2.—(1) Notwithstanding any general or special Act, the council of the Corporation may pass by-laws authorizing and directing the treasurer of the Corporation to allow a credit equivalent to that portion of the real property taxes imposed by the Corporation or a school board for school purposes on payment by any person of the remaining portion of the real property taxes so imposed in respect of any residential real property or any part thereof owned and occupied by such person, or by the husband or wife of such person, or by both, as his, her or their personal residence, where such person, or the husband or wife of such person, or both, have attained the age of sixty-five years and are receiving a governmental benefit under the *Old Age Security Act* (Canada), provided that no such credit,

R.S.C. 1952,
c. 200

- (a) shall exceed the sum of \$100 in any one year;
- (b) shall be allowed to any person in respect of more than one such property in any one year;
- (c) shall be allowed to any person who has not made application therefor on or before the last day of February in the year in which the real property taxes in respect of which such credit is claimed become due and payable; or
- (d) shall be allowed to any person unless such person, or the husband or wife of such person, or both, have been assessed as the owner or owners of real property in the Borough of East York or in any former municipality constituting part thereof for at least ten of the fifteen years immediately preceding the year in which the application for such a credit is made.

By-laws for
administra-
tion

(2) Any by-law passed under this section may prescribe such regulations with respect to the administration thereof, not inconsistent with this section, as the council of the municipality may deem proper, and shall provide for including in the yearly estimates all sums required to give effect to the provisions of the by-law.

Lien for
payment

(3) The amount of any such credit allowed from time to time pursuant to the foregoing provisions shall be a lien or

charge upon the residential real property in respect of which such credit has been so allowed, and shall be in priority to any encumbrance upon such property arising after the date of registration of the notice mentioned in subsection 5.

(4) The amount of such lien or charge shall become due ^{When lien payable} and be paid to the Corporation upon any change in ownership of such residential real property except where the new owner is a person entitled to a credit under a by-law passed under this section.

(5) Every by-law passed under this section shall provide ^{Registration of lien and discharge} that forthwith after a credit has been allowed a notice, signed by the clerk of the Corporation stating that a credit has been allowed together with a description of the property in respect of which it has been allowed sufficient for registration, shall be registered in the proper registry or land titles office, and, upon payment in full of the amount of such credits allowed, a certificate of the clerk showing such payment shall be similarly registered, and thereupon the said residential real property is freed from all liability with reference thereto.

3. Section 2 of *The Township of East York Act, 1933* is ^{1933, c. 76, s. 2,} repealed. ^{repealed}

4. This Act comes into force on the day it receives Royal ^{Commence-} Assent. ^{ment}

5. This Act may be cited as *The Borough of East York Act*, ^{Short title} 1967.

An Act respecting the
Borough of East York

1st Reading

February 2nd, 1967

2nd Reading

3rd Reading

MR. BECKETT

(*Private Bill*)

BILL Pr10

5TH SESSION, 27TH LEGISLATURE, ONTARIO
15-16 ELIZABETH II, 1967

An Act respecting the Borough of East York

MR. BECKETT

(Reprinted as amended by the Committee of the Whole House)

BILL Pr10

1967

An Act respecting the Borough of East York

WHEREAS The Corporation of the Borough of East York, herein called the Corporation, by its petition has prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the petition;

Preamble

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Subsection 2 of section 2 of *The Township of East York Act, 1965* is repealed and the following substituted therefor:

1965, c. 150,
s. 2, subs. 2,
re-enacted

- (2) Before passing a by-law under this section, notice of the intention of the council to pass the same shall be sent by prepaid mail to all persons who are shown in the last revised assessment roll of the municipality as having the qualifications of municipal electors in respect of land abutting on the highways or parts thereof to be designated as aforesaid, at the addresses respectively shown for such persons in such roll.

Notice to
electors
- (2a) Unless a petition objecting to the passing of the proposed by-law, signed by at least two-thirds of the persons entitled to notice as aforesaid, is received by the clerk of the Corporation within one month next following the latest day of the mailing of any such notices, the council may pass the by-law, but, if a petition objecting to the passing of the proposed by-law, signed by at least two-thirds of the persons entitled to notice as aforesaid, is received by the clerk of the Corporation within such time, the council shall not pass the by-law.

Petition
- (2b) Where the council of the Corporation has proceeded under this section and has been prevented from passing the proposed by-law by reason of a petition

Saving

objecting thereto having been presented under subsection 2a, the council may again proceed under this section in respect of the highways or parts thereof proposed to be designated by such by-law at any time after the expiry of the two years next following the presentation of the petition.

1933,
c. 76, s. 2,
repealed

2. Section 2 of *The Township of East York Act, 1933* is repealed.

Commence-
ment

3. This Act comes into force on the day it receives Royal Assent.

Short title

4. This Act may be cited as *The Borough of East York Act, 1967*.

PARL. PAPER
An Act respecting the
Borough of East York

1st Reading

February 2nd, 1967

2nd Reading

April 17th, 1967

3rd Reading

MR. BECKETT

(Reprinted as amended by the
Committee of the Whole House)

BILL Pr10

5TH SESSION, 27TH LEGISLATURE, ONTARIO
15-16 ELIZABETH II, 1967

An Act respecting the Borough of East York

MR. BECKETT

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LIBRARY

THE UNIVERSITY OF CHICAGO LIBRARY

1897	1898	1899	1900	1901	1902	1903	1904	1905	1906	1907	1908	1909	1910	1911	1912	1913	1914	1915	1916	1917	1918	1919	1920	1921	1922	1923	1924	1925	1926	1927	1928	1929	1930	1931	1932	1933	1934	1935	1936	1937	1938	1939	1940	1941	1942	1943	1944	1945	1946	1947	1948	1949	1950	1951	1952	1953	1954	1955	1956	1957	1958	1959	1960	1961	1962	1963	1964	1965	1966	1967	1968	1969	1970	1971	1972	1973	1974	1975	1976	1977	1978	1979	1980	1981	1982	1983	1984	1985	1986	1987	1988	1989	1990	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035	2036	2037	2038	2039	2040	2041	2042	2043	2044	2045	2046	2047	2048	2049	2050	2051	2052	2053	2054	2055	2056	2057	2058	2059	2060	2061	2062	2063	2064	2065	2066	2067	2068	2069	2070	2071	2072	2073	2074	2075	2076	2077	2078	2079	2080	2081	2082	2083	2084	2085	2086	2087	2088	2089	2090	2091	2092	2093	2094	2095	2096	2097	2098	2099	2100	2101	2102	2103	2104	2105	2106	2107	2108	2109	2110	2111	2112	2113	2114	2115	2116	2117	2118	2119	2120	2121	2122	2123	2124	2125	2126	2127	2128	2129	2130	2131	2132	2133	2134	2135	2136	2137	2138	2139	2140	2141	2142	2143	2144	2145	2146	2147	2148	2149	2150	2151	2152	2153	2154	2155	2156	2157	2158	2159	2160	2161	2162	2163	2164	2165	2166	2167	2168	2169	2170	2171	2172	2173	2174	2175	2176	2177	2178	2179	2180	2181	2182	2183	2184	2185	2186	2187	2188	2189	2190	2191	2192	2193	2194	2195	2196	2197	2198	2199	2200	2201	2202	2203	2204	2205	2206	2207	2208	2209	2210	2211	2212	2213	2214	2215	2216	2217	2218	2219	2220	2221	2222	2223	2224	2225	2226	2227	2228	2229	2230	2231	2232	2233	2234	2235	2236	2237	2238	2239	2240	2241	2242	2243	2244	2245	2246	2247	2248	2249	2250	2251	2252	2253	2254	2255	2256	2257	2258	2259	2260	2261	2262	2263	2264	2265	2266	2267	2268	2269	2270	2271	2272	2273	2274	2275	2276	2277	2278	2279	2280	2281	2282	2283	2284	2285	2286	2287	2288	2289	2290	2291	2292	2293	2294	2295	2296	2297	2298	2299	2300	2301	2302	2303	2304	2305	2306	2307	2308	2309	2310	2311	2312	2313	2314	2315	2316	2317	2318	2319	2320	2321	2322	2323	2324	2325	2326	2327	2328	2329	2330	2331	2332	2333	2334	2335	2336	2337	2338	2339	2340	2341	2342	2343	2344	2345	2346	2347	2348	2349	2350	2351	2352	2353	2354	2355	2356	2357	2358	2359	2360	2361	2362	2363	2364	2365	2366	2367	2368	2369	2370	2371	2372	2373	2374	2375	2376	2377	2378	2379	2380	2381	2382	2383	2384	2385	2386	2387	2388	2389	2390	2391	2392	2393	2394	2395	2396	2397	2398	2399	2400	2401	2402	2403	2404	2405	2406	2407	2408	2409	2410	2411	2412	2413	2414	2415	2416	2417	2418	2419	2420	2421	2422	2423	2424	2425	2426	2427	2428	2429	2430	2431	2432	2433	2434	2435	2436	2437	2438	2439	2440	2441	2442	2443	2444	2445	2446	2447	2448	2449	2450	2451	2452	2453	2454	2455	2456	2457	2458	2459	2460	2461	2462	2463	2464	2465	2466	2467	2468	2469	2470	2471	2472	2473	2474	2475	2476	2477	2478	2479	2480	2481	2482	2483	2484	2485	2486	2487	2488	2489	2490	2491	2492	2493	2494	2495	2496	2497	2498	2499	2500	2501	2502	2503	2504	2505	2506	2507	2508	2509	2510	2511	2512	2513	2514	2515	2516	2517	2518	2519	2520	2521	2522	2523	2524	2525	2526	2527	2528	2529	2530	2531	2532	2533	2534	2535	2536	2537	2538	2539	2540	2541	2542	2543	2544	2545	2546	2547	2548	2549	2550	2551	2552	2553	2554	2555	2556	2557	2558	2559	2560	2561	2562	2563	2564	2565	2566	2567	2568	2569	2570	2571	2572	2573	2574	2575	2576	2577	2578	2579	2580	2581	2582	2583	2584	2585	2586	2587	2588	2589	2590	2591	2592	2593	2594	2595	2596	2597	2598	2599	2600	2601	2602	2603	2604	2605	2606	2607	2608	2609	2610	2611	2612	2613	2614	2615	2616	2617	2618	2619	2620	2621	2622	2623	2624	2625	2626	2627	2628	2629	2630	2631	2632	2633	2634	2635	2636	2637	2638	2639	2640	2641	2642	2643	2644	2645	2646	2647	2648	2649	2650	2651	2652	2653	2654	2655	2656	2657	2658	2659	2660	2661	2662	2663	2664	2665	2666	2667	2668	2669	2670	2671	2672	2673	2674	2675	2676	2677	2678	2679	2680	2681	2682	2683	2684	2685	2686	2687	2688	2689	2690	2691	2692	2693	2694	2695	2696	2697	2698	2699	2700	2701	2702	2703	2704	2705	2706	2707	2708	2709	2710	2711	2712	2713	2714	2715	2716	2717	2718	2719	2720	2721	2722	2723	2724	2725	2726	2727	2728	2729	2730	2731	2732	2733	2734	2735	2736	2737	2738	2739	2740	2741	2742	2743	2744	2745	2746	2747	2748	2749	2750	2751	2752	2753	2754	2755	2756	2757	2758	2759	2760	2761	2762	2763	2764	2765	2766	2767	2768	2769	2770	2771	2772	2773	2774	2775	2776	2777	2778	2779	2780	2781	2782	2783	2784	2785	2786	2787	2788	2789	2790	2791	2792	2793	2794	2795	2796	2797	2798	2799	2800	2801	2802	2803	2804	2805	2806	2807	2808	2809	2810	2811	2812	2813	2814	2815	2816	2817	2818	2819	2820	2821	2822	2823	2824	2825	2826	2827	2828	2829	2830	2831	2832	2833	2834	2835	2836	2837	2838	2839	2840	2841	2842	2843	2844	2845	2846	2847	2848	2849	2850	2851	2852	2853	2854	2855	2856	2857	2858	2859	2860	2861	2862	2863	2864	2865	2866	2867	2868	2869	2870	2871	2872	2873	2874	2875	2876	2877	2878	2879	2880	2881	2882	2883	2884	2885	2886	2887	2888	2889	2890	2891	2892	2893	2894	2895	2896	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BILL Pr10

1967

An Act respecting the Borough of East York

WHEREAS The Corporation of the Borough of East York, herein called the Corporation, by its petition has prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the petition;

Preamble

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Subsection 2 of section 2 of *The Township of East York Act, 1965* is repealed and the following substituted therefor: ^{1965, c. 150, s. 2, subs. 2, re-enacted}

(2) Before passing a by-law under this section, notice of the intention of the council to pass the same shall be sent by prepaid mail to all persons who are shown in the last revised assessment roll of the municipality as having the qualifications of municipal electors in respect of land abutting on the highways or parts thereof to be designated as aforesaid, at the addresses respectively shown for such persons in such roll. ^{Notice to electors}

(2a) Unless a petition objecting to the passing of the proposed by-law, signed by at least two-thirds of the persons entitled to notice as aforesaid, is received by the clerk of the Corporation within one month next following the latest day of the mailing of any such notices, the council may pass the by-law, but, if a petition objecting to the passing of the proposed by-law, signed by at least two-thirds of the persons entitled to notice as aforesaid, is received by the clerk of the Corporation within such time, the council shall not pass the by-law. ^{Petition}

(2b) Where the council of the Corporation has proceeded under this section and has been prevented from passing the proposed by-law by reason of a petition ^{Saving}

objecting thereto having been presented under subsection 2a, the council may again proceed under this section in respect of the highways or parts thereof proposed to be designated by such by-law at any time after the expiry of the two years next following the presentation of the petition.

1933,
c. 76, s. 2,
repealed

2. Section 2 of *The Township of East York Act, 1933* is repealed.

Commence-
ment

3. This Act comes into force on the day it receives Royal Assent.

Short title

4. This Act may be cited as *The Borough of East York Act, 1967*.

An Act respecting the
Borough of East York

1st Reading

February 2nd, 1967

2nd Reading

April 17th, 1967

3rd Reading

June 12th, 1967

MR. BECKETT

BILL Pr11

**5TH SESSION, 27TH LEGISLATURE, ONTARIO
15-16 ELIZABETH II, 1967**

An Act respecting United Co-operatives of Ontario

MR. ROOT

(PRIVATE BILL)

[illegible]

BILL Pr11

1967

An Act respecting United Co-operatives of Ontario

WHEREAS United Co-operatives of Ontario, herein ^{Preamble} called the Company, by its petition has represented that it was incorporated by *The United Co-operatives of Ontario Act, 1948* ^{1948, c. 130} with an authorized capital of \$3,000,000 divided into 214,950 common shares having a par value of \$10 each and 121,500 non-voting preference shares having a par value of \$7 each, and that all the issued preference shares of the Company have been redeemed, and that by *The United Co-operatives of Ontario Act, 1956* ^{1956, c. 126} the unissued preference shares were cancelled and the authorized capital increased to \$6,000,000 by the creation of 385,050 common shares having a par value of \$10 each ranking in all respects *pari passu* with the existing common shares, and that the authorized capital of the Company has since been reduced to \$3,948,830 by the purchase for cancellation of 205,117 issued common shares of the Company, and that by *The United Co-operatives of Ontario Act, 1965* ^{1965, c. 173} the authorized capital of the Company was increased to \$25,000,000 by the creation of 1,105,117 common shares with a par value of \$10 each ranking on a parity with the existing common shares, the creation of 500,000 Class "A" non-voting preference shares with a par value of \$10 each and the creation of 500,000 Class "B" non-voting preference shares with a par value of \$10 each; and whereas the petitioner has prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Notwithstanding subsection 1 of section 4 of *The United Co-operatives of Ontario Act, 1948*, as re-enacted by section 3 of *The United Co-operatives of Ontario Act, 1965*, ^{Common shares reclassified 1948, c. 130, s. 4, subs. 1 (1965, c. 173, s. 3)}

(a) 400,000 of the unissued common shares of the Company are reclassified as 400,000 Class "A" non-

voting preference shares ranking on a parity with the existing Class "A" non-voting preference shares; and

- (b) 200,000 of the unissued common shares of the Company are reclassified as 200,000 Class "B" non-voting preference shares ranking on a parity with the existing Class "B" non-voting preference shares.

1948,
c. 130, s. 4
(1965,
c. 173, s. 3),
subs. 3,
par. 1,
amended

2.—(1) Paragraph 1 of subsection 3 of section 4 of *The United Co-operatives of Ontario Act, 1948*, as re-enacted by section 3 of *The United Co-operatives of Ontario Act, 1965*, is amended by striking out "4" in the eighth line and inserting in lieu thereof "6", so that the paragraph shall read as follows:

1. The holders of the Class "B" preference shares shall in each year in the discretion of the directors, but always in preference and priority to any payment of patronage dividends or dividends on the common shares for such year, be entitled, out of any and all profits or surplus available for dividends, to cumulative dividends at the rate of 6 per cent per annum on the amount paid up on the Class "B" preference shares; if on any dividend payment date the dividend payable on such date is not paid in full on all the Class "B" preference shares then issued and outstanding, such dividend, or the unpaid portion thereof, shall be paid at a subsequent date or dates as and when declared by the board of directors; the holders of Class "B" preference shares shall not be entitled to any dividends other than or in excess of the cash dividends hereinbefore provided for; no dividends shall at any time be declared and paid on or declared and set apart for the common shares or any of them or any other shares of the Company junior to the Class "B" preference shares, nor shall the Company call for redemption less than all the outstanding Class "B" preference shares unless all accrued dividends on the Class "B" preference shares then issued and outstanding shall have been declared and paid or provided for at the date of such declaration or payment or setting apart or call for redemption.

1948,
c. 130, s. 4
(1965,
c. 173, s. 3),
subs. 4,
re-enacted

- (2) Subsection 4 of the said section 4 is repealed and the following substituted therefor:

Application
of
R.S.O. 1960,
c. 1363, s. 19,
subs. 2,
par. 9

- (4) The exemption contained in paragraph 9 of subsection 2 of section 19 of *The Securities Act* does not apply to the Class "A" or Class "B" preference shares.

3. This Act comes into force on the day it receives Royal Commence-
Assent._{ment}

4. This Act may be cited as *The United Co-operatives of* Short title
Ontario Act, 1967.

An Act respecting
United Co-operatives of Ontario

1st Reading

2nd Reading

3rd Reading

MR. ROOT

(Private Bill)

BILL Pr11

5TH SESSION, 27TH LEGISLATURE, ONTARIO
15-16 ELIZABETH II, 1967

An Act respecting United Co-operatives of Ontario

MR. ROOT

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BILL Pr11

1967

An Act respecting United Co-operatives of Ontario

WHEREAS United Co-operatives of Ontario, herein ^{Preamble}
called the Company, by its petition has represented
that it was incorporated by *The United Co-operatives of Ontario* ^{1948, c. 130}
Act, 1948 with an authorized capital of \$3,000,000 divided
into 214,950 common shares having a par value of \$10 each
and 121,500 non-voting preference shares having a par value
of \$7 each, and that all the issued preference shares of the
Company have been redeemed, and that by *The United* ^{1956, c. 126}
Co-operatives of Ontario Act, 1956 the unissued preference
shares were cancelled and the authorized capital increased
to \$6,000,000 by the creation of 385,050 common shares having
a par value of \$10 each ranking in all respects *pari passu*
with the existing common shares, and that the authorized
capital of the Company has since been reduced to \$3,948,830
by the purchase for cancellation of 205,117 issued common
shares of the Company, and that by *The United Co-operatives* ^{1965, c. 173}
of Ontario Act, 1965 the authorized capital of the Company
was increased to \$25,000,000 by the creation of 1,105,117
common shares with a par value of \$10 each ranking on a
parity with the existing common shares, the creation of 500,000
Class "A" non-voting preference shares with a par value of
\$10 each and the creation of 500,000 Class "B" non-voting
preference shares with a par value of \$10 each; and whereas
the petitioner has prayed for special legislation in respect of
the matters hereinafter set forth; and whereas it is expedient
to grant the prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent
of the Legislative Assembly of the Province of Ontario, enacts
as follows:

1. Notwithstanding subsection 1 of section 4 of *The United* ^{Common}
Co-operatives of Ontario Act, 1948, as re-enacted by section 3 ^{shares}
of *The United Co-operatives of Ontario Act, 1965*, ^{reclassified}
^{1948,}
^{c. 130, s. 4,}
^{subs. 1 (1965,}
^{c. 173, s. 3)}

(a) 400,000 of the unissued common shares of the
Company are reclassified as 400,000 Class "A" non-

voting preference shares ranking on a parity with the existing Class "A" non-voting preference shares; and

- (b) 200,000 of the unissued common shares of the Company are reclassified as 200,000 Class "B" non-voting preference shares ranking on a parity with the existing Class "B" non-voting preference shares.

1948,
c. 130, s. 4
(1965,
c. 173, s. 3),
subs. 3,
par. 1,
amended

2.—(1) Paragraph 1 of subsection 3 of section 4 of *The United Co-operatives of Ontario Act, 1948*, as re-enacted by section 3 of *The United Co-operatives of Ontario Act, 1965*, is amended by striking out "4" in the eighth line and inserting in lieu thereof "6", so that the paragraph shall read as follows:

1. The holders of the Class "B" preference shares shall in each year in the discretion of the directors, but always in preference and priority to any payment of patronage dividends or dividends on the common shares for such year, be entitled, out of any and all profits or surplus available for dividends, to cumulative dividends at the rate of 6 per cent per annum on the amount paid up on the Class "B" preference shares; if on any dividend payment date the dividend payable on such date is not paid in full on all the Class "B" preference shares then issued and outstanding, such dividend, or the unpaid portion thereof, shall be paid at a subsequent date or dates as and when declared by the board of directors; the holders of Class "B" preference shares shall not be entitled to any dividends other than or in excess of the cash dividends hereinbefore provided for; no dividends shall at any time be declared and paid on or declared and set apart for the common shares or any of them or any other shares of the Company junior to the Class "B" preference shares, nor shall the Company call for redemption less than all the outstanding Class "B" preference shares unless all accrued dividends on the Class "B" preference shares then issued and outstanding shall have been declared and paid or provided for at the date of such declaration or payment or setting apart or call for redemption.

1948,
c. 130, s. 4
(1965,
c. 173, s. 3),
subs. 4,
re-enacted

(2) Subsection 4 of the said section 4 is repealed and the following substituted therefor:

Application
of
R.S.O. 1960,
c. 363, s. 19,
subs. 2,
par. 9

- (4) The exemption contained in paragraph 9 of subsection 2 of section 19 of *The Securities Act* does not apply to the Class "A" or Class "B" preference shares.

3. This Act comes into force on the day it receives Royal ^{Commence-}
Assent. ^{ment}

4. This Act may be cited as *The United Co-operatives of* ^{Short title}
Ontario Act, 1967.

1. The first of the two main questions is whether the
 1971-72 season was a normal one for the area.

2. The second question is whether the
 1971-72 season was a normal one for the area.

3. The third question is whether the
 1971-72 season was a normal one for the area.

4. The fourth question is whether the
 1971-72 season was a normal one for the area.

5. The fifth question is whether the
 1971-72 season was a normal one for the area.

6. The sixth question is whether the
 1971-72 season was a normal one for the area.

7. The seventh question is whether the
 1971-72 season was a normal one for the area.

An Act respecting
United Co-operatives of Ontario

1st Reading

February 2nd, 1967

2nd Reading

February 20th, 1967

3rd Reading

February 24th, 1967

Mr. Root

BILL Pr12

5TH SESSION, 27TH LEGISLATURE, ONTARIO
15-16 ELIZABETH II, 1967

An Act respecting Canadian Power Squadrons

MR. HODGSON (Scarborough East)

(PRIVATE BILL)

BILL Pr12

1967

An Act respecting Canadian Power Squadrons

WHEREAS Canadian Power Squadrons has by its ^{Preamble} petition represented that it is a non-profit, non-share capital corporation incorporated by letters patent issued by the Secretary of State for Canada having as its objects the education of the boating public and the establishment of a high standard of skill in the operation of pleasure boats; and in furtherance of its objects has established headquarters in the Borough of Scarborough and has purchased land and buildings from funds voluntarily donated by its members; and whereas the petitioner has prayed for special legislation exempting it from taxation for municipal or school purposes, except local improvement rates, on the ground that it is a charitable, educational and non-profit corporation;

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Canadian Power Squadrons is exempt from taxation ^{Exemption from taxation} for municipal or school purposes, except local improvement rates, in respect of the lands described in the Schedule so long as such lands are owned and occupied by and used solely for the purposes of Canadian Power Squadrons.

2. This Act shall be deemed to have come into force on the ^{Commence-ment} 1st day of January, 1967.

3. This Act may be cited as *The Canadian Power Squadrons Act, 1967*. ^{Short title}

SCHEDULE

ALL AND SINGULAR that certain parcel or tract of land and premises, situate, lying and being in the Borough of Scarborough, in the County of York, Province of Ontario, and being composed of part of Block "B" according to a Plan registered in the Registry Office for the Registry Division of the East and West Ridings of the County of York as No. 6411, more particularly described as follows:

COMMENCING at a point in the southerly limit of the said Block "B" distant easterly therealong 200 feet from the southwest angle of the said Block; thence easterly along the said southerly limit 100 feet; thence northerly perpendicular to the said southerly limit 320 feet to the northerly limit of the said Block "B"; thence westerly along the said northerly limit 100 feet; thence southerly 320 feet to the point of commencement.

An Act respecting
Canadian Power Squadrons

1st Reading

2nd Reading

3rd Reading

MR. HODGSON (Scarborough East)

(Private Bill)

BILL Pr13

5TH SESSION, 27TH LEGISLATURE, ONTARIO
15-16 ELIZABETH II, 1967

An Act respecting the City of Sault Ste. Marie

MR. DEMERS

(PRIVATE BILL)

BILL Pr13

1967

An Act respecting the City of Sault Ste. Marie

WHEREAS The Corporation of the City of Sault Ste. Marie, herein called the Corporation, by its petition has prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the petition; Preamble

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Subsections 2, 3, 4, 5, 6, 7, 8, 9, 10 and 11 of section 2 of *The City of Sault Ste. Marie Act, 1957* are repealed and the following substituted therefor: 1957,
c. 154, s. 2,
subss. 2-8,
re-enacted;
subss. 9-11,
repealed

(2) The Commission shall be a body corporate and shall consist of five members, one of whom shall be the Mayor of the City of Sault Ste. Marie, or his appointee who shall be a member of the Council, and four of whom shall be residents and ratepayers of the City of Sault Ste. Marie and shall be appointed by the Council, and the four members so appointed shall hold office for three years concurrently and until their successors are appointed. Composition,
appointment,
term of
office

(3) The term of office of any member of the Commission, except the Mayor of the City of Sault Ste. Marie or his appointee, may at any time be terminated by by-law of the Council passed by a vote of at least two-thirds of the members of the Council. Termination
of office

(4) Whenever the office of a member of the Commission, except the Mayor of the City of Sault Ste. Marie or his appointee, becomes vacant during his term of office, the Council shall appoint some qualified person to be a member thereof for the remainder of the term for which his immediate predecessor was appointed. Vacancies

Members
eligible for
re-appoint-
ment

- (5) A member of the Commission shall, on the expiration of his term of office, be eligible to be re-appointed thereto, if he is a resident and a ratepayer of the City of Sault Ste. Marie and is not otherwise disqualified.

Council
members not
eligible

- (6) Except for the Mayor of the City of Sault Ste. Marie or his appointee, no member of the Council is eligible to be appointed a member of the Commission during his term of office or, in the event that he shall have for any reason ceased to be a member of the Council, during the unexpired term for which he was elected.

Salary

- (7) The members of the Commission may be paid such salary or other remuneration as may be fixed by by-law of the Council.

Quorum

- (8) Three members of the Commission shall constitute a quorum for the transaction of business.

1957, c. 154,
amended

2. *The City of Sault Ste. Marie Act, 1957* is amended by adding thereto the following section:

Exclusive
right to
operate bus
service

- 22a.—(1) The Commission has the exclusive right within the City of Sault Ste. Marie to maintain and operate a bus service that picks up and discharges passengers within the limits of the City, including, without limiting the foregoing, transportation within the limits of the City by charter, contract, special trips or otherwise.

Penalties

R.S.O. 1960,
c. 249

- (2) The Corporation is empowered to pass by-laws imposing such penalties as are provided for contravention of by-laws under *The Municipal Act* upon any other person or corporation who carries on such service within the limits of the City of Sault Ste. Marie.

Application
to school
boards

- (3) Subsection 1 does not apply to transportation provided for students by The Board of Education for the City of Sault Ste. Marie or The Board of Trustees of the Roman Catholic Separate Schools for the City of Sault Ste. Marie.

1957, c. 154,
amended

3. *The City of Sault Ste. Marie Act, 1957* is amended by adding thereto the following section:

Application
of Act to
amal-
gamated
city

- 23a. This Act applies to the whole of the new City of Sault Ste. Marie formed on the 1st day of January, 1965 by the amalgamation of the former townships of

Korah and Tarentorus with the former City of Sault Ste. Marie by order of the Ontario Municipal Board dated the 28th day of September, 1964.

4. This Act comes into force on the day it receives Royal ^{Commence-} Assent._{ment}

5. This Act may be cited as *The City of Sault Ste. Marie* ^{Short title} *Act, 1967.*

An Act respecting
the City of Sault Ste. Marie

1st Reading

2nd Reading

3rd Reading

MR. DEMERS

(Private Bill)

BILL Pr13

5TH SESSION, 27TH LEGISLATURE, ONTARIO
15-16 ELIZABETH II, 1967

An Act respecting the City of Sault Ste. Marie

MR. DEMERS

TORONTO

PRINTED AND PUBLISHED BY FRANK FOGG, QUEEN'S PRINTER

Received of the Treasurer of the University of Chicago
the sum of \$100.00

for the purchase of the book of the University of Chicago



BILL Pr13 1967**An Act respecting the City of Sault Ste. Marie**

WHEREAS The Corporation of the City of Sault Ste. Marie, herein called the Corporation, by its petition has prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the petition; Preamble

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Subsections 2, 3, 4, 5, 6, 7, 8, 9, 10 and 11 of section 2 of *The City of Sault Ste. Marie Act, 1957* are repealed and the following substituted therefor: 1957,
c. 154, s. 2;
subss. 2-8,
re-enacted;
subss. 9-11,
repealed

(2) The Commission shall be a body corporate and shall consist of five members, one of whom shall be the Mayor of the City of Sault Ste. Marie, or his appointee who shall be a member of the Council, and four of whom shall be residents and ratepayers of the City of Sault Ste. Marie and shall be appointed by the Council, and the four members so appointed shall hold office for three years concurrently and until their successors are appointed. Composition,
appointment,
term of
office

(3) The term of office of any member of the Commission, except the Mayor of the City of Sault Ste. Marie or his appointee, may at any time be terminated by by-law of the Council passed by a vote of at least two-thirds of the members of the Council. Termination
of office

(4) Whenever the office of a member of the Commission, except the Mayor of the City of Sault Ste. Marie or his appointee, becomes vacant during his term of office, the Council shall appoint some qualified person to be a member thereof for the remainder of the term for which his immediate predecessor was appointed. Vacancies

Members
eligible for
re-appoint-
ment

- (5) A member of the Commission shall, on the expiration of his term of office, be eligible to be re-appointed thereto, if he is a resident and a ratepayer of the City of Sault Ste. Marie and is not otherwise disqualified.

Council
members not
eligible

- (6) Except for the Mayor of the City of Sault Ste. Marie or his appointee, no member of the Council is eligible to be appointed a member of the Commission during his term of office or, in the event that he shall have for any reason ceased to be a member of the Council, during the unexpired term for which he was elected.

Salary

- (7) The members of the Commission may be paid such salary or other remuneration as may be fixed by by-law of the Council.

Quorum

- (8) Three members of the Commission shall constitute a quorum for the transaction of business.

1957, c. 154,
amended

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Exclusive
right to
operate bus
service

- 22a.—(1) The Commission has the exclusive right within the City of Sault Ste. Marie to maintain and operate a bus service that picks up and discharges passengers within the limits of the City, including, without limiting the foregoing, transportation within the limits of the City by charter, contract, special trips or otherwise.

Penalties

- (2) The Corporation is empowered to pass by-laws imposing such penalties as are provided for contravention of by-laws under *The Municipal Act* upon any other person or corporation who carries on such service within the limits of the City of Sault Ste. Marie.

R.S.O. 1960,
c. 249

Application
to school
boards

- (3) Subsection 1 does not apply to transportation provided for students by The Board of Education for the City of Sault Ste. Marie or The Board of Trustees of the Roman Catholic Separate Schools for the City of Sault Ste. Marie.

1957, c. 154,
amended

3. *The City of Sault Ste. Marie Act, 1957* is amended by adding thereto the following section:

Application
of Act to
amalgamated
city

- 23a. This Act applies to the whole of the new City of Sault Ste. Marie formed on the 1st day of January, 1965 by the amalgamation of the former townships of

Korah and Tarentorus with the former City of Sault Ste. Marie by order of the Ontario Municipal Board dated the 28th day of September, 1964.

4. This Act comes into force on the day it receives Royal ^{Commence-}
Assent. ^{ment}

5. This Act may be cited as *The City of Sault Ste. Marie* ^{Short title}
Act, 1967.

1911

1911

1911

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1911

An Act respecting
the City of Sault Ste. Marie

1st Reading

February 13th, 1967

2nd Reading

February 16th, 1967

3rd Reading

February 24th, 1967

MR. DEMERS

BILL Pr14

5TH SESSION, 27TH LEGISLATURE, ONTARIO
15-16 ELIZABETH II, 1967

An Act respecting the Town of Burlington

MR. KERR

(PRIVATE BILL)

An Act respecting the Town of Burlington

WHEREAS The Corporation of the Town of Burlington, ^{Preamble}
 herein called the Corporation, by its petition has prayed
 for special legislation in respect of the matters hereinafter
 set forth; and whereas it is expedient to grant the prayer of
 the petition;

Therefore, Her Majesty, by and with the advice and consent
 of the Legislative Assembly of the Province of Ontario, enacts
 as follows:

1.—(1) Notwithstanding any general or special Act, the <sup>Tax credit
to old age
pensioners</sup>
 council of the Corporation may by by-law authorize and direct
 the treasurer of the Corporation to allow a credit equivalent
 to that portion of the real property taxes imposed by the
 Corporation for school purposes on payment by any person
 of the remaining portion of the real property taxes so imposed
 in respect of any residential real property or any part thereof
 owned and occupied by such person, or by the husband or
 wife of such person, or by both, as his, her or their personal
 residence, where such person, or the husband or wife of such
 person, or both, have attained the age of seventy years and
 are receiving a governmental benefit under the *Old Age* <sup>R.S.C. 1962,
c. 200</sup>
Security Act (Canada), provided, however, that no such
 credit,

- (a) shall exceed the sum of \$100 in any one year;
- (b) shall be allowed to any person in respect of more than
 one such property in any one year;
- (c) shall be allowed to any person who has not made
 application therefor on or before the last day of
 February in the year in which the real property
 taxes in respect of which such credit is claimed be-
 come due and payable, or, in the case of the year
 1967, within sixty days after the passing of the by-
 law;

(d) shall be allowed to any person unless such person, or the husband or wife of such person, or both, have been assessed as the owner of real property in the Town of Burlington for at least ten of the fifteen years immediately preceding the year in which the application for such a credit is made; or

(e) shall be allowed to any person unless and until the applicant and the husband or wife of the applicant, if any, have passed whatever means test may be prescribed by the by-law.

By-laws
for
administra-
tion

(2) Any by-law passed pursuant to this section may prescribe such regulations with respect to the administration thereof, not inconsistent with this section, that to the council of the Corporation may seem proper, and shall provide for including in the yearly estimates all sums required to give effect to the provisions of the by-law.

Previous
residence in
annexed
areas

(3) For the purpose of clause *d* of subsection 1, the Town of Burlington includes,

(a) the Township of Nelson and that part of the Township of East Flamborough annexed to the Town of Burlington with effect from the 1st day of January, 1958; and

(b) that part of the City of Hamilton annexed to the Town of Burlington with effect from the 1st day of January, 1965.

Acquisition
of lands
for parking
lot

R.S.O. 1960,
c. 249

2.—(1) The lands acquired by the Corporation and described in the Schedule shall be deemed to have been acquired under the authority of and for the purposes of paragraph 67 of section 377 of *The Municipal Act*, and the council of the Corporation may pass a by-law, with the approval of the Ontario Municipal Board, to provide that the capital cost of such parking lot, together with any operating deficit, shall be levied against the lands in an area in the municipality as defined in the by-law that, in the opinion of the council, derives special benefit therefrom and all the provisions of paragraph 67 of section 377 of *The Municipal Act* apply.

Issue of
debentures

(2) The council of the Corporation may pass a by-law, without obtaining the approval of the Ontario Municipal Board, providing for the issue of debentures of the Corporation in a principal amount not exceeding \$87,000 at such rate of interest as the council determines in the by-law and repayable in not more than fifteen years, for the purpose of providing for the cost of acquiring the lands described in the Schedule.

(3) Sections 55, 56, 57 and 58 of *The Ontario Municipal Board Act* apply in respect of a by-law passed under sub-section 2 and the debentures to be issued thereunder. ^{Application of R.S.O. 1960, c. 274}

3. This Act comes into force on the day it receives Royal Assent. ^{Commencement}

4. This Act may be cited as *The Town of Burlington Act*, ^{Short title} 1967.

SCHEDULE

ALL AND SINGULAR those certain parcels or tracts of land and premises situate, lying and being in the Town of Burlington, in the County of Halton, and being composed of Lots Nos. Seven (7) and Six (6) in Block "J", as shown on Plan No. 92.

Received of the Treasurer of the
 State of New York

the sum of

Four hundred and
 thirty and no/100

1881

for the purchase of

An Act respecting the
Town of Burlington

1st Reading

2nd Reading

3rd Reading

MR. KERR

(Private Bill)

BILL Pr14

5TH SESSION, 27TH LEGISLATURE, ONTARIO
15-16 ELIZABETH II, 1967

An Act respecting the Town of Burlington

MR. KERR

(Reprinted as amended by the Committee on Private Bills)

An Act respecting the Town of Burlington

WHEREAS The Corporation of the Town of Burlington, Preamble
 herein called the Corporation, by its petition has prayed
 for special legislation in respect of the matters hereinafter
 set forth; and whereas it is expedient to grant the prayer of
 the petition;

Therefore, Her Majesty, by and with the advice and consent
 of the Legislative Assembly of the Province of Ontario, enacts
 as follows:

1.—(1) Notwithstanding any general or special Act, the Tax credit to old age pensioners
 council of the Corporation may by by-law authorize and direct
 the treasurer of the Corporation to allow a credit equivalent
 to that portion of the real property taxes imposed by the
 Corporation or a school board for school purposes on payment
 by any person of the remaining portion of the real property
 taxes so imposed in respect of any residential real property or
 any part thereof owned and occupied by such person, or by
 the husband or wife of such person, or by both, as his, her or
 their personal residence, where such person, or the husband or
 wife of such person, or both, have attained the age of seventy
 years and are receiving a governmental benefit under the
Old Age Security Act (Canada), provided, however, that no R.S.C. 1962,
 c. 200
 such credit,

- (a) shall exceed the sum of \$100 in any one year;
- (b) shall be allowed to any person in respect of more than
 one such property in any one year;
- (c) shall be allowed to any person who has not made
 application therefor on or before the last day of
 February in the year in which the real property
 taxes in respect of which such credit is claimed be-
 come due and payable, or, in the case of the year
 1967, within sixty days after the passing of the by-
 law;

- (d) shall be allowed to any person unless such person, or the husband or wife of such person, or both, have been assessed as the owner of real property in the Town of Burlington for at least ten of the fifteen years immediately preceding the year in which the application for such a credit is made; or
- (e) shall be allowed to any person unless and until the applicant and the husband or wife of the applicant, if any, have passed whatever means test may be prescribed by the by-law.

By-laws
for
administra-
tion

(2) Any by-law passed pursuant to this section may prescribe such regulations with respect to the administration thereof, not inconsistent with this section, that to the council of the Corporation may seem proper, and shall provide for including in the yearly estimates all sums required to give effect to the provisions of the by-law.

Previous
residence in
annexed
areas

(3) For the purpose of clause *d* of subsection 1, the Town of Burlington includes,

- (a) the Township of Nelson and that part of the Township of East Flamborough annexed to the Town of Burlington with effect from the 1st day of January, 1958; and
- (b) that part of the City of Hamilton annexed to the Town of Burlington with effect from the 1st day of January, 1965.

Acquisition
of lands
for parking
lot

R.S.O. 1960,
c. 249

2.—(1) The lands acquired by the Corporation and described in the Schedule shall be deemed to have been acquired under the authority of and for the purposes of paragraph 67 of section 377 of *The Municipal Act*, and the council of the Corporation may pass a by-law, with the approval of the Ontario Municipal Board, to provide that the capital cost of such parking lot, together with any operating deficit, shall be levied against the lands in an area in the municipality as defined in the by-law that, in the opinion of the council, derives special benefit therefrom and all the provisions of paragraph 67 of section 377 of *The Municipal Act* apply.

Issue of
debentures

(2) The council of the Corporation may pass a by-law, without obtaining the approval of the Ontario Municipal Board, providing for the issue of debentures of the Corporation in a principal amount not exceeding \$87,000 at such rate of interest as the council determines in the by-law and repayable in not more than fifteen years, for the purpose of providing for the cost of acquiring the lands described in the Schedule.

(3) Sections 55, 56, 57 and 58 of *The Ontario Municipal Board Act* apply in respect of a by-law passed under subsection 2 and the debentures to be issued thereunder. ^{Application of R.S.O. 1960, c. 274}

3. Section 3 of *The Town of Burlington Act, 1966* is amended by adding thereto the following subsection: ^{1966, c. 164, s. 3, amended}

(3a) A by-law shall not be passed under subsection 1 until at least seven days after notice of the intention to pass the by-law has been published twice, the publications being at least seven days apart. ^{Publication of notice}

4. This Act comes into force on the day it receives Royal Assent. ^{Commencement}

5. This Act may be cited as *The Town of Burlington Act, 1967*. ^{Short title}

SCHEDULE

ALL AND SINGULAR those certain parcels or tracts of land and premises situate, lying and being in the Town of Burlington, in the County of Halton, and being composed of Lots Nos. Seven (7) and Six (6) in Block "J", as shown on Plan No. 92.

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THE UNIVERSITY OF CHICAGO

THE UNIVERSITY OF CHICAGO

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An Act respecting the
Town of Burlington

1st Reading

February 13th, 1967

2nd Reading

3rd Reading

MR. KERR

*(Reprinted as amended by the
Committee on Private Bills)*

BILL Pr14

5TH SESSION, 27TH LEGISLATURE, ONTARIO
15-16 ELIZABETH II, 1967

An Act respecting the Town of Burlington

MR. KERR

BILL Pr14

1967

An Act respecting the Town of Burlington

WHEREAS The Corporation of the Town of Burlington, ^{Preamble}
 herein called the Corporation, by its petition has prayed
 for special legislation in respect of the matters hereinafter
 set forth; and whereas it is expedient to grant the prayer of
 the petition;

Therefore, Her Majesty, by and with the advice and consent
 of the Legislative Assembly of the Province of Ontario, enacts
 as follows:

1.—(1) Notwithstanding any general or special Act, the
 council of the Corporation may by by-law authorize and direct
 the treasurer of the Corporation to allow a credit equivalent
 to that portion of the real property taxes imposed by the
 Corporation or a school board for school purposes on payment
 by any person of the remaining portion of the real property
 taxes so imposed in respect of any residential real property or
 any part thereof owned and occupied by such person, or by
 the husband or wife of such person, or by both, as his, her or
 their personal residence, where such person, or the husband or
 wife of such person, or both, have attained the age of seventy
 years and are receiving a governmental benefit under the
Old Age Security Act (Canada), provided, however, that no
 such credit, <sup>Tax credit
to old age
pensioners</sup> <sup>R.S.C. 1962,
c. 200</sup>

- (a) shall exceed the sum of \$100 in any one year;
- (b) shall be allowed to any person in respect of more than
one such property in any one year;
- (c) shall be allowed to any person who has not made
application therefor on or before the last day of
February in the year in which the real property
taxes in respect of which such credit is claimed be-
come due and payable, or, in the case of the year
1967, within sixty days after the passing of the by-
law;

(d) shall be allowed to any person unless such person, or the husband or wife of such person, or both, have been assessed as the owner of real property in the Town of Burlington for at least ten of the fifteen years immediately preceding the year in which the application for such a credit is made; or

(e) shall be allowed to any person unless and until the applicant and the husband or wife of the applicant, if any, have passed whatever means test may be prescribed by the by-law.

By-laws
for
administra-
tion

(2) Any by-law passed pursuant to this section may prescribe such regulations with respect to the administration thereof, not inconsistent with this section, that to the council of the Corporation may seem proper, and shall provide for including in the yearly estimates all sums required to give effect to the provisions of the by-law.

Previous
residence in
annexed
areas

(3) For the purpose of clause *d* of subsection 1, the Town of Burlington includes,

(a) the Township of Nelson and that part of the Township of East Flamborough annexed to the Town of Burlington with effect from the 1st day of January, 1958; and

(b) that part of the City of Hamilton annexed to the Town of Burlington with effect from the 1st day of January, 1965.

Acquisition
of lands
for parking
lot

R.S.O. 1960,
c. 249

2.—(1) The lands acquired by the Corporation and described in the Schedule shall be deemed to have been acquired under the authority of and for the purposes of paragraph 67 of section 377 of *The Municipal Act*, and the council of the Corporation may pass a by-law, with the approval of the Ontario Municipal Board, to provide that the capital cost of such parking lot, together with any operating deficit, shall be levied against the lands in an area in the municipality as defined in the by-law that, in the opinion of the council, derives special benefit therefrom and all the provisions of paragraph 67 of section 377 of *The Municipal Act* apply.

Issue of
debentures

(2) The council of the Corporation may pass a by-law, without obtaining the approval of the Ontario Municipal Board, providing for the issue of debentures of the Corporation in a principal amount not exceeding \$87,000 at such rate of interest as the council determines in the by-law and repayable in not more than fifteen years, for the purpose of providing for the cost of acquiring the lands described in the Schedule.

(3) Sections 55, 56, 57 and 58 of *The Ontario Municipal Board Act* apply in respect of a by-law passed under subsection 2 and the debentures to be issued thereunder. Application of R.S.O. 1960, c. 274

3. Section 3 of *The Town of Burlington Act, 1966* is amended by adding thereto the following subsection: 1966, c. 164, s. 3, amended

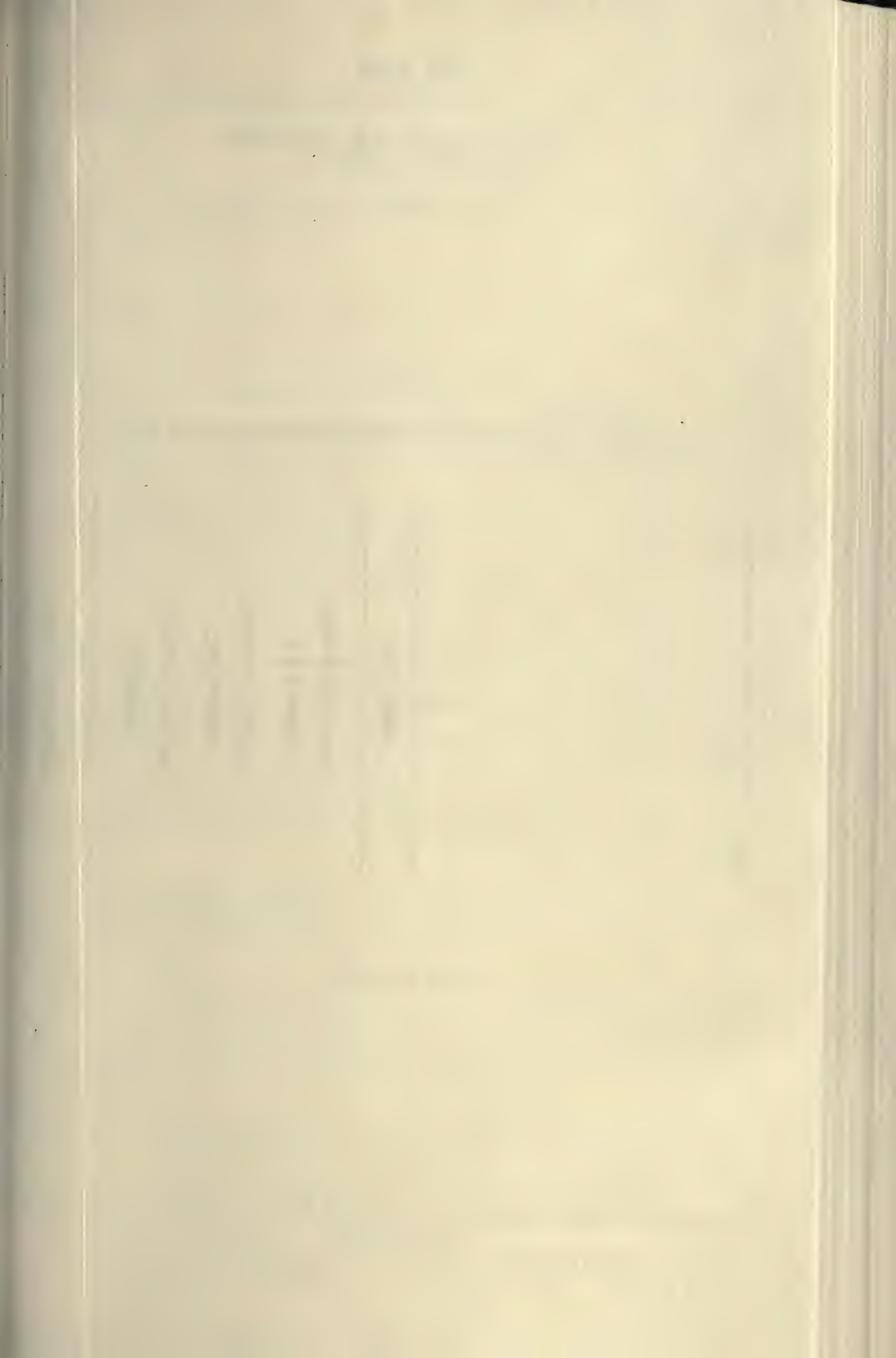
(3a) A by-law shall not be passed under subsection 1 until at least seven days after notice of the intention to pass the by-law has been published twice, the publications being at least seven days apart. Publication of notice

4. This Act comes into force on the day it receives Royal Assent. Commencement

5. This Act may be cited as *The Town of Burlington Act, 1967*. Short title

SCHEDULE

ALL AND SINGULAR those certain parcels or tracts of land and premises situate, lying and being in the Town of Burlington, in the County of Halton, and being composed of Lots Nos. Seven (7) and Six (6) in Block "J", as shown on Plan No. 92.



An Act respecting the
Town of Burlington

1st Reading

February 13th, 1967

2nd Reading

February 27th, 1967

3rd Reading

March 21st, 1967

MR. KERR

BILL Pr15

5TH SESSION, 27TH LEGISLATURE, ONTARIO
15-16 ELIZABETH II, 1967

An Act respecting Waterloo Lutheran University

MR. BUTLER

(PRIVATE BILL)

BILL Pr15 1967

An Act respecting Waterloo Lutheran University

WHEREAS Waterloo Lutheran University by its petition Preamble
has represented that it was formerly Evangelical
Lutheran Seminary of Canada, which institution acquired
university status and certain ancillary powers by *The Waterloo* 1959, c. 142
Lutheran University Act, 1959; and whereas by section 2 of
The Waterloo Lutheran University Act, 1959 the powers
possessed by Evangelical Lutheran Seminary of Canada were
continued in force until amended or repealed; and whereas
by section 9 of *An Act to Incorporate Evangelical Lutheran
Seminary of Canada*, being chapter 145 of the Statutes of
Ontario, 1913, the Board of Governors was authorized to
invest its surplus funds upon such securities as Trustees are
by law authorized to invest trust funds; and whereas section 4
of *The Waterloo Lutheran University Act, 1959* granted to the
University the power to grant degrees and to issue diplomas,
certificates and other awards; and whereas the petitioner has
prayed for special legislation amending and broadening its
powers of investment and amending its degree-granting powers;
and whereas it is expedient to grant the prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent
of the Legislative Assembly of the Province of Ontario, enacts
as follows:

1. Subsection 2 of section 4 of *The Waterloo Lutheran* 1959, c. 142,
s. 4, subs. 2.
University Act, 1959 is amended by striking out "shall" in the amended
second line and inserting in lieu thereof "may", so that the
subsection shall read as follows:

- (2) All degrees, diplomas, certificates and other awards, Idem
except those in theology, may be granted and sealed
in the name of Waterloo University College and, in
the case of degrees in theology, the same shall be
granted and sealed in the name of Waterloo Lutheran
University.

1959, c. 142,
amended

2. *The Waterloo Lutheran University Act, 1959* is amended by adding thereto the following section:

Investment
powers

6a. The funds of the University not immediately required for its purposes and the proceeds of all property that come into the hands of the Board of Governors of the University, subject to any trust or trusts affecting them, may be invested and re-invested from time to time in such investments as the Board in its absolute discretion deems meet.

1913, c. 145,
s. 9,
repealed

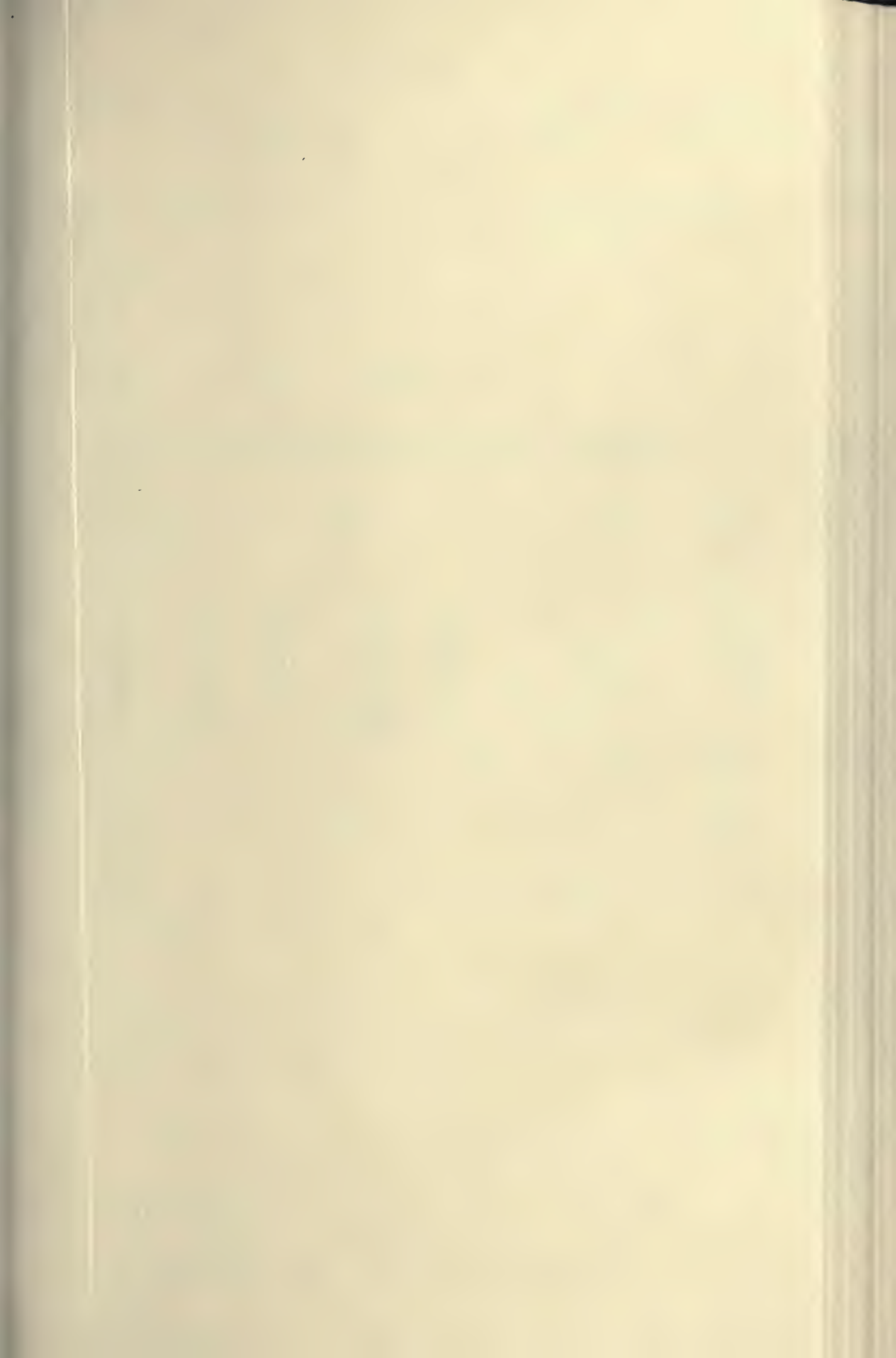
3. Section 9 of *An Act to Incorporate Evangelical Lutheran Seminary of Canada* is repealed.

Commence-
ment

4. This Act comes into force on the day it receives Royal Assent.

Short title

5. This Act may be cited as *The Waterloo Lutheran University Act, 1967*.



Received of the Treasurer of the
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1882

An Act respecting
Waterloo Lutheran University

1st Reading

2nd Reading

3rd Reading

MR. BUTLER

(*Private Bill*)

BILL Pr15

**5TH SESSION, 27TH LEGISLATURE, ONTARIO
15-16 ELIZABETH II, 1967**

An Act respecting Waterloo Lutheran University

MR. BUTLER

THE UNIVERSITY OF CHICAGO
LIBRARY

THE UNIVERSITY OF CHICAGO LIBRARY

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BILL Pr15

1967

An Act respecting Waterloo Lutheran University

WHEREAS Waterloo Lutheran University by its petition ^{Preamble} has represented that it was formerly Evangelical Lutheran Seminary of Canada, which institution acquired university status and certain ancillary powers by *The Waterloo Lutheran University Act, 1959*; and whereas by section 2 of *The Waterloo Lutheran University Act, 1959* the powers possessed by Evangelical Lutheran Seminary of Canada were continued in force until amended or repealed; and whereas by section 9 of *An Act to Incorporate Evangelical Lutheran Seminary of Canada*, being chapter 145 of the Statutes of Ontario, 1913, the Board of Governors was authorized to invest its surplus funds upon such securities as Trustees are by law authorized to invest trust funds; and whereas section 4 of *The Waterloo Lutheran University Act, 1959* granted to the University the power to grant degrees and to issue diplomas, certificates and other awards; and whereas the petitioner has prayed for special legislation amending and broadening its powers of investment and amending its degree-granting powers; and whereas it is expedient to grant the prayer of the petition; ^{1959, c. 142}

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Subsection 2 of section 4 of *The Waterloo Lutheran University Act, 1959* is amended by striking out "shall" in the second line and inserting in lieu thereof "may", so that the subsection shall read as follows: ^{1959, c. 142, s. 4, subs. 2, amended}

- (2) All degrees, diplomas, certificates and other awards, ^{Idem} except those in theology, may be granted and sealed in the name of Waterloo University College and, in the case of degrees in theology, the same shall be granted and sealed in the name of Waterloo Lutheran University.

1959, c. 142,
amended

2. *The Waterloo Lutheran University Act, 1959* is amended by adding thereto the following section:

Investment
powers

6a. The funds of the University not immediately required for its purposes and the proceeds of all property that come into the hands of the Board of Governors of the University, subject to any trust or trusts affecting them, may be invested and re-invested from time to time in such investments as the Board in its absolute discretion deems meet.

1913, c. 145,
s. 9,
repealed

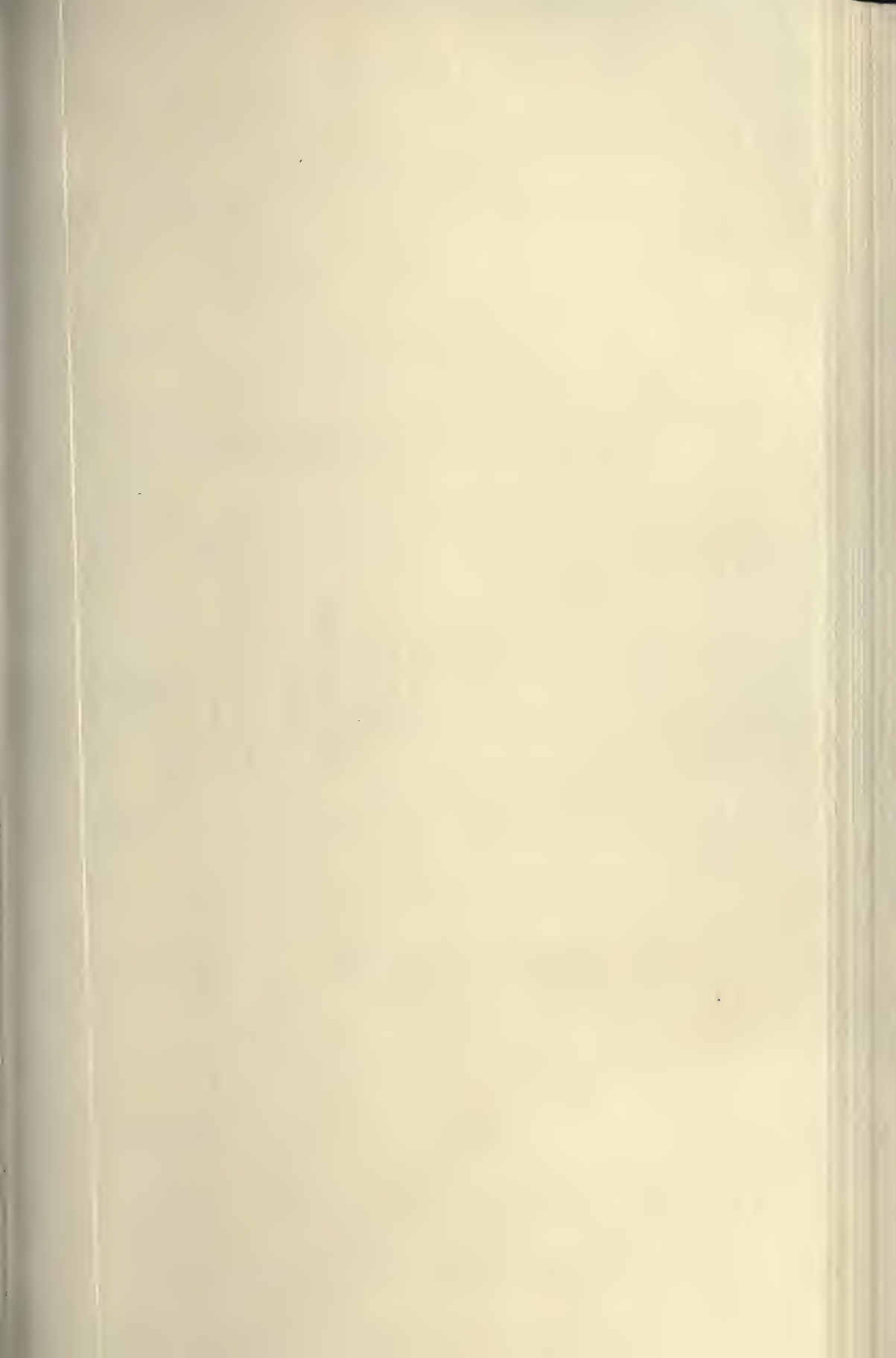
3. Section 9 of *An Act to Incorporate Evangelical Lutheran Seminary of Canada* is repealed.

Commence-
ment

4. This Act comes into force on the day it receives Royal Assent.

Short title

5. This Act may be cited as *The Waterloo Lutheran University Act, 1967*.



and James M. Thompson
of the University of Chicago

and the University of Chicago

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An Act respecting
Waterloo Lutheran University

1st Reading

February 13th, 1967

2nd Reading

February 16th, 1967

3rd Reading

February 24th, 1967

MR. BUTLER

BILL Pr16

5TH SESSION, 27TH LEGISLATURE, ONTARIO
15-16 ELIZABETH II, 1967

An Act respecting the City of London

MR. WHITE

(PRIVATE BILL)

BILL Pr16

1967

An Act respecting the City of London

WHEREAS The Corporation of the City of London by ^{Preamble}
its petition has prayed for special legislation in respect
of the matters hereinafter set forth; and whereas it is expedient
to grant the prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent
of the Legislative Assembly of the Province of Ontario, enacts
as follows:

1.—(1) Section 2 of *The City of London Act, 1965* is amended <sup>1965,
c. 156, s. 2,
amended</sup>
by adding thereto the following subsection:

(3a) A by-law shall not be passed under subsection 1 <sup>Publication
of notice</sup>
until at least seven days after notice of the intention
to pass the by-law has been published twice, the
publications being at least seven days apart.

(2) Subsection 5 of the said section 2 is amended by striking <sup>1965,
c. 156, s. 2,
subs. 5,
amended</sup>
out "for the approval of" in the second line and inserting in
lieu thereof "in respect of", so that the subsection shall read
as follows:

(5) Where an application has been made to the Ontario <sup>Copies of
decisions
to be
supplied</sup>
Municipal Board in respect of a by-law passed under
this section, a copy of the decision of the Board with
respect to the application shall be supplied by the
Board to the applicant and to each person who
appeared in person or by counsel at the hearing of
the application and who filed with the Board or the
secretary of the Board a written request for notice of
the decision.

2. Subsection 1 of section 2 of *The City of London Act, 1955* <sup>1955,
c. 104, s. 2,
subs. 1,
re-enacted</sup>
is repealed and the following substituted therefor:

(1) The Corporation is authorized and empowered to <sup>Use of
untravelling
portions of
highway</sup>
lease or license the use of untravelled portions of
highways,

(a) within those portions of the City of London zoned for business or industrial purposes; or

(b) adjoining properties that are being lawfully used for such purposes,

to adjoining owners for such consideration and upon such terms and conditions as may be agreed.

1960,
c. 153, s. 2,
subs. 1, cl. f
(1961-62,
c. 155, s. 5),
re-enacted

3. Clause *f* of subsection 1 of section 2 of *The City of London Act, 1960*, as re-enacted by section 5 of *The City of London Act, 1961-62*, is repealed and the following substituted therefor:

(f) that past service pension shall be limited so that the combined past service pension and future service pension purchased with standard joint contributions on a five-year guaranteed basis and under the Ontario Municipal Employees Retirement Scheme shall not exceed the maximum pension that may be provided under subsection 4 of section 248*c* of *The Municipal Act*.

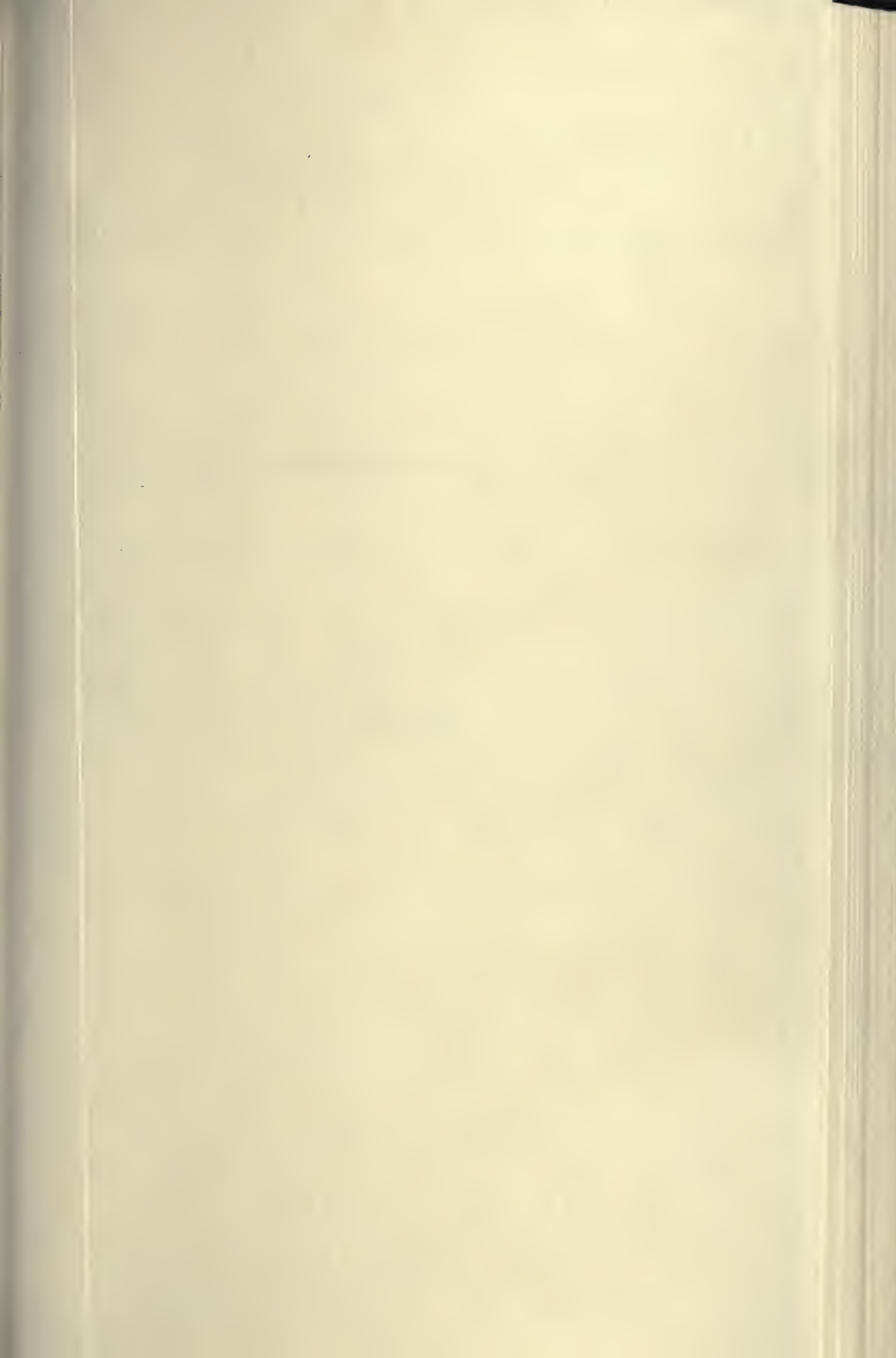
R.S.O. 1960,
c. 249

Commence-
ment

4. This Act comes into force on the day it receives Royal Assent.

Short title

5. This Act may be cited as *The City of London Act, 1967*.



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An Act respecting the City of London

1st Reading

February 2nd, 1967

2nd Reading

3rd Reading

MR. WHITE

(*Private Bill*)

BILL Pr16

5TH SESSION, 27TH LEGISLATURE, ONTARIO
15-16 ELIZABETH II, 1967

An Act respecting the City of London

MR. WHITE

BILL Pr16

1967

An Act respecting the City of London

WHEREAS The Corporation of the City of London by ^{Preamble} its petition has prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1.—(1) Section 2 of *The City of London Act, 1965* is amended ^{1965, c. 156, s. 2, amended} by adding thereto the following subsection:

(3a) A by-law shall not be passed under subsection 1 ^{Publication of notice} until at least seven days after notice of the intention to pass the by-law has been published twice, the publications being at least seven days apart.

(2) Subsection 5 of the said section 2 is amended by striking ^{1965, c. 156, s. 2, subs. 5, amended} out "for the approval of" in the second line and inserting in lieu thereof "in respect of", so that the subsection shall read as follows:

(5) Where an application has been made to the Ontario Municipal Board in respect of a by-law passed under this section, a copy of the decision of the Board with respect to the application shall be supplied by the Board to the applicant and to each person who appeared in person or by counsel at the hearing of the application and who filed with the Board or the secretary of the Board a written request for notice of the decision. ^{Copies of decisions to be supplied}

2. Subsection 1 of section 2 of *The City of London Act, 1955* ^{1955, c. 104, s. 2, subs. 1, re-enacted} is repealed and the following substituted therefor:

(1) The Corporation is authorized and empowered to ^{Use of untraveller portions of highway} lease or license the use of untraveller portions of highways,

- (a) within those portions of the City of London zoned for business or industrial purposes; or
- (b) adjoining properties that are being lawfully used for such purposes,

to adjoining owners for such consideration and upon such terms and conditions as may be agreed.

1960,
c. 153, s. 2,
subs. 1, cl. f
(1961-62,
c. 155, s. 5),
re-enacted

3. Clause *f* of subsection 1 of section 2 of *The City of London Act, 1960*, as re-enacted by section 5 of *The City of London Act, 1961-62*, is repealed and the following substituted therefor: .

- (f) that past service pension shall be limited so that the combined past service pension and future service pension purchased with standard joint contributions on a five-year guaranteed basis and under the Ontario Municipal Employees Retirement Scheme shall not exceed the maximum pension that may be provided under subsection 4 of section 248*c* of *The Municipal Act*.

R.S.O. 1960,
c. 249

Commence-
ment

4. This Act comes into force on the day it receives Royal Assent.

Short title

5. This Act may be cited as *The City of London Act, 1967*.

An Act respecting the City of London

1st Reading

February 2nd, 1967

2nd Reading

February 23rd, 1967

3rd Reading

February 27th, 1967

MR. WHITE

BILL Pr17

5TH SESSION, 27TH LEGISLATURE, ONTARIO
15-16 ELIZABETH II, 1967

An Act respecting the Town of Amherstburg

MR. PATERSON

(PRIVATE BILL)

BILL Pr17

1967

An Act respecting the Town of Amherstburg

WHEREAS The Corporation of the Town of Amherst- Preamble
burg, herein called the Corporation, by its petition has
prayed for special legislation in respect of the matters herein-
after set forth; and whereas it is expedient to grant the prayer
of the petition;

Therefore, Her Majesty, by and with the advice and consent
of the Legislative Assembly of the Province of Ontario, enacts
as follows:

1.—(1) Notwithstanding any general or special Act, the Tax credit
to old age
pensioners
council of the Corporation may pass by-laws authorizing and
directing the treasurer of the Corporation to allow a credit
equivalent to that portion of the real property taxes imposed
by the Corporation for school purposes on payment by any
person of the remaining portion of the real property taxes so
imposed in respect of any residential real property or any part
thereof owned and occupied by such person, or by the husband
or wife of such person, or by both, as his, her or their personal
residence, where such person, or the husband or wife of such
person, or both, have attained the age of seventy years and
are receiving a governmental benefit under the *Old Age Security* R.S.C. 1952,
c. 200
Act (Canada), provided, however, that no such credit,

- (a) shall exceed the sum of \$100 in any one year;
- (b) shall be allowed to any person in respect of more
than one such property in any one year;
- (c) shall be allowed to any person who has not made
application therefor on or before the last day of
February in the year in which the real property taxes
in respect of which such credit is claimed become due
and payable;

(d) shall be allowed to any person unless such person, or the husband or wife of such person, or both, have been assessed as the owner of real property in the Town of Amherstburg for at least ten of the fifteen years immediately preceding the year in which the application for such a credit is made; or

(e) shall be allowed to any person unless and until the applicant and the husband or wife of the applicant, if any, have passed whatever means test may be prescribed by the by-law.

**By-laws
for adminis-
tration**

(2) Any by-law passed pursuant to this section may prescribe such regulations with respect to the administration thereof, not inconsistent with this section, which to the council of the Corporation may seem proper, and shall provide for including in the yearly estimates all sums required to give effect to the provisions of the by-law.

**Commence-
ment**

2. This Act comes into force on the day it receives Royal Assent.

Short title

3. This Act may be cited as *The Town of Amherstburg Act, 1967*.

An Act respecting
the Town of Amherstburg

1st Reading

February 13th, 1967

2nd Reading

3rd Reading

• MR. PATERSON

(Private Bill)

BILL Pr17

5TH SESSION, 27TH LEGISLATURE, ONTARIO
15-16 ELIZABETH II, 1967

An Act respecting the Town of Amherstburg

MR. PATERSON

(Reprinted as amended by the Committee on Private Bills)

BILL Pr17

1967

An Act respecting the Town of Amherstburg

WHEREAS The Corporation of the Town of Amherst-^{Preamble}
burg, herein called the Corporation, by its petition has
prayed for special legislation in respect of the matters herein-
after set forth; and whereas it is expedient to grant the prayer
of the petition;

Therefore, Her Majesty, by and with the advice and consent
of the Legislative Assembly of the Province of Ontario, enacts
as follows:

1.—(1) Notwithstanding any general or special Act, the^{Tax credit}
council of the Corporation may pass by-laws authorizing and^{to old age}
directing the treasurer of the Corporation to allow a credit^{pensioners}
equivalent to that portion of the real property taxes imposed
by the Corporation or a school board for school purposes on
payment by any person of the remaining portion of the real
property taxes so imposed in respect of any residential real
property or any part thereof owned and occupied by such
person, or by the husband or wife of such person, or by both,
as his, her or their personal residence, where such person, or
the husband or wife of such person, or both, have attained the
age of seventy years and are receiving a governmental benefit
under the *Old Age Security Act* (Canada), provided, however,^{R.S.C. 1952,}
that no such credit,^{o. 200}

- (a) shall exceed the sum of \$100 in any one year;
- (b) shall be allowed to any person in respect of more
than one such property in any one year;
- (c) shall be allowed to any person who has not made
application therefor on or before the last day of
February in the year in which the real property taxes
in respect of which such credit is claimed become due
and payable;

(d) shall be allowed to any person unless such person, or the husband or wife of such person, or both, have been assessed as the owner of real property in the Town of Amherstburg for at least ten of the fifteen years immediately preceding the year in which the application for such a credit is made; or

(e) shall be allowed to any person unless and until the applicant and the husband or wife of the applicant, if any, have passed whatever means test may be prescribed by the by-law.

By-laws
for adminis-
tration

(2) Any by-law passed pursuant to this section may prescribe such regulations with respect to the administration thereof, not inconsistent with this section, which to the council of the Corporation may seem proper, and shall provide for including in the yearly estimates all sums required to give effect to the provisions of the by-law.

Commence-
ment

2. This Act comes into force on the day it receives Royal Assent.

Short title

3. This Act may be cited as *The Town of Amherstburg Act, 1967*.

An Act respecting the
Town of Amherstburg

1st Reading

February 13th, 1967

2nd Reading

3rd Reading

MR. PATERSON

(Reprinted as amended by the
Committee on Private Bills)

BILL Pr17

**5TH SESSION, 27TH LEGISLATURE, ONTARIO
15-16 ELIZABETH II, 1967**

An Act respecting the Town of Amherstburg

MR. PATERSON

An Act respecting the Town of Amherstburg

WHEREAS The Corporation of the Town of Amherst-^{Preamble}
burg, herein called the Corporation, by its petition has
prayed for special legislation in respect of the matters herein-
after set forth; and whereas it is expedient to grant the prayer
of the petition;

Therefore, Her Majesty, by and with the advice and consent
of the Legislative Assembly of the Province of Ontario, enacts
as follows:

1.—(1) Notwithstanding any general or special Act, the council of the Corporation may pass by-laws authorizing and directing the treasurer of the Corporation to allow a credit equivalent to that portion of the real property taxes imposed by the Corporation or a school board for school purposes on payment by any person of the remaining portion of the real property taxes so imposed in respect of any residential real property or any part thereof owned and occupied by such person, or by the husband or wife of such person, or by both, as his, her or their personal residence, where such person, or the husband or wife of such person, or both, have attained the age of seventy years and are receiving a governmental benefit under the *Old Age Security Act* (Canada), provided, however, that no such credit,

Tax credit
to old age
pensioners

R.S.C. 1952,
c. 200

- (a) shall exceed the sum of \$100 in any one year;
- (b) shall be allowed to any person in respect of more than one such property in any one year;
- (c) shall be allowed to any person who has not made application therefor on or before the last day of February in the year in which the real property taxes in respect of which such credit is claimed become due and payable;

(d) shall be allowed to any person unless such person, or the husband or wife of such person, or both, have been assessed as the owner of real property in the Town of Amherstburg for at least ten of the fifteen years immediately preceding the year in which the application for such a credit is made; or

(e) shall be allowed to any person unless and until the applicant and the husband or wife of the applicant, if any, have passed whatever means test may be prescribed by the by-law.

By-laws
for adminis-
tration

(2) Any by-law passed pursuant to this section may prescribe such regulations with respect to the administration thereof, not inconsistent with this section, which to the council of the Corporation may seem proper, and shall provide for including in the yearly estimates all sums required to give effect to the provisions of the by-law.

Commence-
ment

2. This Act comes into force on the day it receives Royal Assent.

Short title

3. This Act may be cited as *The Town of Amherstburg Act, 1967*.

1. The first part of the document is a list of names and addresses, which are arranged in a columnar fashion. The names are written in a cursive script, and the addresses are written in a more formal, printed style.

Name	Address	City	State	Country	Occupation	Age	Sex	Marital Status
John Doe	123 Main St	New York	NY	USA	Teacher	35	M	Married
Jane Smith	456 Oak St	Los Angeles	CA	USA	Engineer	42	F	Married
Robert Johnson	789 Pine St	Chicago	IL	USA	Doctor	50	M	Married
Mary White	101 Elm St	San Francisco	CA	USA	Lawyer	38	F	Married
James Brown	202 Maple St	Philadelphia	PA	USA	Artist	28	M	Single
Elizabeth Black	303 Cedar St	Boston	MA	USA	Writer	45	F	Married
William Green	404 Birch St	Seattle	WA	USA	Businessman	55	M	Married
Patricia Gray	505 Spruce St	Portland	OR	USA	Teacher	32	F	Married
Richard Hall	606 Fir St	Denver	CO	USA	Engineer	40	M	Married
Susan King	707 Ash St	San Diego	CA	USA	Lawyer	30	F	Married
Thomas Lee	808 Hickory St	San Jose	CA	USA	Doctor	48	M	Married
Linda Scott	909 Walnut St	San Antonio	TX	USA	Artist	25	F	Single
Christopher Young	1010 Chestnut St	San Luis Obispo	CA	USA	Businessman	52	M	Married

The second part of the document is a list of names and addresses, which are arranged in a columnar fashion. The names are written in a cursive script, and the addresses are written in a more formal, printed style.

An Act respecting the
Town of Amherstburg

1st Reading

February 13th, 1967

2nd Reading

February 27th, 1967

3rd Reading

March 21st, 1967

MR. PATERSON

BILL Pr18

5TH SESSION, 27TH LEGISLATURE, ONTARIO
15-16 ELIZABETH II, 1967

An Act to incorporate Peterborough Racing Association Limited

MR. BROWN

(PRIVATE BILL)

BILL Pr18

1967

An Act to incorporate Peterborough Racing Association Limited

WHEREAS Gerald Harold Frederick Lowery, Bertram Albert Howden and Elwood Allen McDonald, all of the City of Peterborough in the County of Peterborough, by their petition have prayed for special legislation constituting them a private company subject to *The Corporations Act*, to come within the provisions of section 178 of the *Criminal Code* (Canada), and to have power to own and operate a race track and to conduct horse races and to operate pari-mutuel betting facilities, to accept wagers on the outcome of such races, record bets, hold stakes and pay winners within the provisions of such pari-mutuel system, to hold and conduct horse and dog shows and exhibits; and whereas it is expedient to grant the prayer of the petition;

Preamble

R.S.O. 1960,
c. 711953-54,
c. 51 (Can.)

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. In this Act,

Interpre-
tation

- (a) "board" means the board of directors of the Company;
- (b) "Company" means the Peterborough Racing Association Limited.

2.—(1) Gerald Harold Frederick Lowery, Bertram Albert Howden and Elwood Allen McDonald are hereby incorporated a private company, along with any others who become shareholders of the Company, under the name of "Peterborough Racing Association Limited".

Incorporation

(2) Subject to *The Racing Commission Act* and the regulations thereunder, the objects of the Company are,

Objects
R.S.O. 1960,
c. 342

- (a) to own and operate a race track or race tracks;

- (b) to hold and conduct under its auspices horse race meetings at which there are running races and trotting and pacing races, to operate a pari-mutuel system of betting at such meetings or races and to accept bets, record bets, hold stakes and pay winners through the agency of such pari-mutuel system;
- (c) to hold and conduct horse and dog shows and exhibits;
- (d) to give and contribute to such racing meets, shows or exhibits, prizes, cups, stakes or other awards;
- (e) to charge admission or entry fees to the places of exhibition or any part thereof, to receive subscriptions to prize lists or for aiding the general purposes of the Company.

Capital

3. The capital of the Company shall be divided into 1,500 non-cumulative redeemable 6 per cent preference shares with a par value of \$100 each and 100,000 common shares with no par value not to be issued for a consideration exceeding in amount or value \$100,000.

Head office

4. The head office of the Company shall be at the City of Peterborough in the County of Peterborough.

First directors

5. The first directors of the Company shall be Gerald Harold Frederick Lowery, Bertram Albert Howden and Elwood Allen McDonald.

Transfer of shares

6. The right to transfer shares of the Company is restricted so that no share shall be transferred without the express consent of a majority of the directors, to be signified by a resolution passed by the board.

Share-holders

7. The number of shareholders of the Company, exclusive of persons who are in the employment of the Company, is limited to fifty, and two or more persons holding one or more shares jointly shall be counted as a single shareholder.

No public subscription

8. The public shall not be invited to subscribe for any shares or securities of the Company.

Preference share dividends

9.—(1) The holders of the preference shares are entitled in each year in the discretion of the board, but always in preference and priority to any payment of dividends on the common shares for such year, to non-cumulative dividends, out of any or all profits or surplus available for dividends, at the rate of 6 per cent per annum on the amount paid up

on the preference shares, and, if in any year after providing for the full dividend on the preference shares there remains any profits or surplus available for dividends,

(a) such profits or surplus or any part thereof may, in the discretion of the board, be applied to dividends on the common shares; and

(b) the holders of the preference shares are not entitled to any dividend other than or in excess of the non-cumulative dividends at the rate of 6 per cent per annum.

(2) The preference shares shall rank, as regards both dividend and repayment of capital, in priority to all other shares of the Company, but shall not confer any further right to participate in profits or assets. Ranking of preference shares

10.—(1) The Company may, after giving notice required by subsection 2, redeem the whole or any part of the preference shares by paying the amount paid up on each share to be redeemed, together with all dividends declared thereon and unpaid. Redemption of preference shares

(2) Not less than thirty days notice in writing of such redemption shall be given by mailing the notice to the registered holders of the shares to be redeemed, specifying the date and place or places of redemption. Notice of redemption

(3) Where notice of the redemption is given by the Company in accordance with this section and an amount sufficient to redeem the shares is deposited with any trust company or chartered bank in Canada, as specified in the notice, on or before the date fixed for redemption, dividends on the preference shares to be redeemed shall cease after the date so fixed for redemption, and the holders thereof shall thereafter have no rights against the Company in respect thereof except, upon the surrender of certificates for such shares, to receive payment therefor out of the moneys so deposited. Time of redemption

11. The Company may, at any time and from time to time, purchase for cancellation the whole or any part of the preference shares at the lowest price at which, in the opinion of the board, such shares are obtainable, but not exceeding the amount paid up thereon, together with all dividends declared thereon and unpaid. Purchase of preference shares for cancellation

12. In the event of the liquidation, dissolution or winding up of the Company, whether voluntary or involuntary, the holders of the preference shares are entitled to receive, be- Preference rights on dissolution

fore any distribution of any part of the assets of the Company among the holders of any other shares, an amount equal to the amount paid up thereon and any dividends declared thereon and unpaid and no more.

Voting
rights of
preference
shareholders

13.—(1) Subject to subsection 2, the holders of preference shares do not, as such, have any voting rights for the election of directors or for any other purpose, and are not entitled to attend shareholders' meetings until the Company fails, for a period of two consecutive years, to pay the dividend on the preference shares, and, when the Company so fails to pay such dividend, the holders of the preference shares are entitled, until dividends aggregating 6 per cent per annum have been paid on the preference shares for two consecutive years, to attend all shareholders' meetings and shall have one vote thereat for each preference share then held.

Notice of
shareholders'
meeting

(2) Holders of preference shares are entitled to notice of meetings of shareholders called for the purpose of authorizing the dissolution of the Company or the sale of its undertaking or a substantial part thereof.

Variation of
preferences

(3) The authorization for an application to delete or vary any preference, right, condition, restriction, limitation or prohibition attaching to the preference shares or to create preference shares ranking in priority to or on a parity with the preference shares, in addition to the authorization by a special resolution, may be given by at least two-thirds of the votes cast at a meeting of the holders of the preference shares duly called for that purpose.

Voting
rights

14. Holders of common shares are entitled to one vote at all shareholders' meetings for each common share held by them.

Commence-
ment

15. This Act comes in force on the day it receives Royal Assent.

Short title

16. This Act may be cited as *The Peterborough Racing Association Limited Act, 1967*.

An Act to incorporate
Peterborough Racing Association Limited

1st Reading

2nd Reading

3rd Reading

MR. BROWN

(Private Bill)

BILL Pr18

5TH SESSION, 27TH LEGISLATURE, ONTARIO
15-16 ELIZABETH II, 1967

An Act to incorporate Peterborough Racing Association Limited

MR. BROWN

BILL Pr18

1967

An Act to incorporate Peterborough Racing Association Limited

WHEREAS Gerald Harold Frederick Lowery, Bertram Albert Howden and Elwood Allen McDonald, all of the City of Peterborough in the County of Peterborough, by their petition have prayed for special legislation constituting them a private company subject to *The Corporations Act*, to come within the provisions of section 178 of the *Criminal Code* (Canada), and to have power to own and operate a race track and to conduct horse races and to operate pari-mutuel betting facilities, to accept wagers on the outcome of such races, record bets, hold stakes and pay winners within the provisions of such pari-mutuel system, to hold and conduct horse and dog shows and exhibits; and whereas it is expedient to grant the prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. In this Act, Interpre-
tation

(a) "board" means the board of directors of the Company;

(b) "Company" means the Peterborough Racing Association Limited.

2.—(1) Gerald Harold Frederick Lowery, Bertram Albert Howden and Elwood Allen McDonald are hereby incorporated a private company, along with any others who become shareholders of the Company, under the name of "Peterborough Racing Association Limited". Incorporation

(2) Subject to *The Racing Commission Act* and the regulations thereunder, the objects of the Company are, Objects
R.S.O. 1960,
c. 342

(a) to own and operate a race track or race tracks;

- (b) to hold and conduct under its auspices horse race meetings at which there are running races and trotting and pacing races, to operate a pari-mutuel system of betting at such meetings or races and to accept bets, record bets, hold stakes and pay winners through the agency of such pari-mutuel system;
- (c) to hold and conduct horse and dog shows and exhibits;
- (d) to give and contribute to such racing meets, shows or exhibits, prizes, cups, stakes or other awards;
- (e) to charge admission or entry fees to the places of exhibition or any part thereof, to receive subscriptions to prize lists or for aiding the general purposes of the Company.

Capital

3. The capital of the Company shall be divided into 1,500 non-cumulative redeemable 6 per cent preference shares with a par value of \$100 each and 100,000 common shares with no par value not to be issued for a consideration exceeding in amount or value \$100,000.

Head office

4. The head office of the Company shall be at the City of Peterborough in the County of Peterborough.

First directors

5. The first directors of the Company shall be Gerald Harold Frederick Lowery, Bertram Albert Howden and Elwood Allen McDonald.

Transfer of shares

6. The right to transfer shares of the Company is restricted so that no share shall be transferred without the express consent of a majority of the directors, to be signified by a resolution passed by the board.

Share-holders

7. The number of shareholders of the Company, exclusive of persons who are in the employment of the Company, is limited to fifty, and two or more persons holding one or more shares jointly shall be counted as a single shareholder.

No public subscription

8. The public shall not be invited to subscribe for any shares or securities of the Company.

Preference share dividends

9.—(1) The holders of the preference shares are entitled in each year in the discretion of the board, but always in preference and priority to any payment of dividends on the common shares for such year, to non-cumulative dividends, out of any or all profits or surplus available for dividends, at the rate of 6 per cent per annum on the amount paid up

on the preference shares, and, if in any year after providing for the full dividend on the preference shares there remains any profits or surplus available for dividends,

- (a) such profits or surplus or any part thereof may, in the discretion of the board, be applied to dividends on the common shares; and
- (b) the holders of the preference shares are not entitled to any dividend other than or in excess of the non-cumulative dividends at the rate of 6 per cent per annum.

(2) The preference shares shall rank, as regards both dividend and repayment of capital, in priority to all other shares of the Company, but shall not confer any further right to participate in profits or assets. Ranking of preference shares

10.—(1) The Company may, after giving notice required by subsection 2, redeem the whole or any part of the preference shares by paying the amount paid up on each share to be redeemed, together with all dividends declared thereon and unpaid. Redemption of preference shares

(2) Not less than thirty days notice in writing of such redemption shall be given by mailing the notice to the registered holders of the shares to be redeemed, specifying the date and place or places of redemption. Notice of redemption

(3) Where notice of the redemption is given by the Company in accordance with this section and an amount sufficient to redeem the shares is deposited with any trust company or chartered bank in Canada, as specified in the notice, on or before the date fixed for redemption, dividends on the preference shares to be redeemed shall cease after the date so fixed for redemption, and the holders thereof shall thereafter have no rights against the Company in respect thereof except, upon the surrender of certificates for such shares, to receive payment therefor out of the moneys so deposited. Time of redemption

11. The Company may, at any time and from time to time, purchase for cancellation the whole or any part of the preference shares at the lowest price at which, in the opinion of the board, such shares are obtainable, but not exceeding the amount paid up thereon, together with all dividends declared thereon and unpaid. Purchase of preference shares for cancellation

12. In the event of the liquidation, dissolution or winding up of the Company, whether voluntary or involuntary, the holders of the preference shares are entitled to receive, be- Preference rights on dissolution

fore any distribution of any part of the assets of the Company among the holders of any other shares, an amount equal to the amount paid up thereon and any dividends declared thereon and unpaid and no more.

Voting
rights of
preference
shareholders

13.—(1) Subject to subsection 2, the holders of preference shares do not, as such, have any voting rights for the election of directors or for any other purpose, and are not entitled to attend shareholders' meetings until the Company fails, for a period of two consecutive years, to pay the dividend on the preference shares, and, when the Company so fails to pay such dividend, the holders of the preference shares are entitled, until dividends aggregating 6 per cent per annum have been paid on the preference shares for two consecutive years, to attend all shareholders' meetings and shall have one vote thereat for each preference share then held.

Notice of
shareholders'
meeting

(2) Holders of preference shares are entitled to notice of meetings of shareholders called for the purpose of authorizing the dissolution of the Company or the sale of its undertaking or a substantial part thereof.

Variation of
preferences

(3) The authorization for an application to delete or vary any preference, right, condition, restriction, limitation or prohibition attaching to the preference shares or to create preference shares ranking in priority to or on a parity with the preference shares, in addition to the authorization by a special resolution, may be given by at least two-thirds of the votes cast at a meeting of the holders of the preference shares duly called for that purpose.

Voting
rights

14. Holders of common shares are entitled to one vote at all shareholders' meetings for each common share held by them.

Commence-
ment

15. This Act comes in force on the day it receives Royal Assent.

Short title

16. This Act may be cited as *The Peterborough Racing Association Limited Act, 1967*.

An Act to incorporate
Peterborough Racing Association Limited

1st Reading

February 2nd, 1967

2nd Reading

February 27th, 1967

3rd Reading

May 8th, 1967

MR. BROWN

BILL Pr19

5TH SESSION, 27TH LEGISLATURE, ONTARIO
15-16 ELIZABETH II, 1967

An Act respecting the Town of Caledonia

MR. EWEN

(PRIVATE BILL)

BILL Pr19

1967

An Act respecting the Town of Caledonia

WHEREAS The Corporation of the Town of Caledonia by its petition has represented that it is desirous of providing for the establishment of a Community Services Board for the better development and supervision of its public parks and recreational activities, and that for such purposes it is necessary to endow such board with all the duties, responsibilities, powers, and privileges of the Caledonia Recreation Committee established under *The Department of Education Act*, The Kinsmen Park Community Centres Board and The MacKinnon Park Community Centres Board, established for the Town of Caledonia under *The Community Centres Act* and the council of the Town of Caledonia in respect of parks management under section 377 of *The Municipal Act*; and whereas the petitioner has prayed for special legislation in respect of such matters; and whereas it is expedient to grant the prayer of the petition;

Preamble

R.S.O. 1960,
cc. 94, 60,
249

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. In this Act,

Inter-
pretation

- (a) "Board" means the Community Services Board established by this Act;
- (b) "Council" means the council of the Town of Caledonia.

2.—(1) Notwithstanding *The Department of Education Act* and the regulations thereunder, *The Community Centres Act* and the regulations thereunder, and *The Public Parks Act*, there shall be a board to be known as the Community Services Board, which shall consist of,

Community
Services
Board
R.S.O. 1960,
cc. 94, 60,
329

- (a) the mayor of the Town of Caledonia;
- (b) one member of the Council appointed by the Council;

- (c) not fewer than three and not more than five persons appointed by the Council, who are resident in the Town of Caledonia or the townships of Seneca or Oneida, and qualified to be elected as members of council in their respective municipalities.

Term of office

(2) The members of the Board who are not members of the Council shall hold office for two years, but, on the first appointment, the members shall hold office until the end of the year next following the appointment in which a general municipal election is to be held to elect members of the Council.

Idem

(3) The members of the Board shall hold office until their successors are appointed and are eligible for re-appointment.

Vacancies

(4) Where a member of the Board ceases to be a member before the expiration of his term, the Council shall appoint another qualified person for the unexpired portion of the term.

Quorum

(5) A majority of the members of the Board constitutes a quorum.

Chairman

(6) The Board shall elect a chairman and a vice-chairman from among the members of the Board, and, in the absence of the chairman, the vice-chairman shall preside at meetings of the Board.

Powers and duties of Board
R.S.O. 1960,
co. 94, 60,
329

3. Except as otherwise provided in this Act, *The Department of Education Act* and the regulations thereunder, *The Community Centres Act* and the regulations thereunder and *The Public Parks Act*, except the provisions constituting a board of park management as a corporation and authorizing such a board to acquire and hold land, apply to the Board as if it had been established in accordance with such Acts and regulations.

Dissolution of former boards

4. When the Board is constituted,

- (a) the Caledonia Recreation Committee, The Kinsmen Park Community Centres Board and The MacKinnon Park Community Centres Board are dissolved, and the assets and liabilities of such committee and boards become the assets and liabilities of the Town of Caledonia; and

- (b) By-laws Nos. 400, 490 and 588 of the Town of Caledonia are repealed.

Power to contract and sue

5. The Board may contract and may sue and be sued in its own name, and the members thereof are not personally liable on any contract made by the Board.

6. The Board may expend moneys received from the Council only in accordance with the budget of the Board as approved from time to time by the Council, and any funds received by the Board for a specific purpose may be used by the Board only for such specific purpose.

7. The Council may pay the members of the Board for their services annually such amount as the Council may determine, but such amount shall not exceed the annual amount allowed to the members of the Council.

8. This Act comes into force on the day it receives Royal Assent.

9. This Act may be cited as *The Town of Caledonia Act*, 1967.

An Act respecting the Town of Caledonia

1st Reading

2nd Reading

3rd Reading

MR. EWEN

(Private Bill)

BILL Pr19

5TH SESSION, 27TH LEGISLATURE, ONTARIO
15-16 ELIZABETH II, 1967

An Act respecting the Town of Caledonia

MR. EWEN

TORONTO

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BILL Pr19 1967

An Act respecting the Town of Caledonia

WHEREAS The Corporation of the Town of Caledonia ^{Preamble} by its petition has represented that it is desirous of providing for the establishment of a Community Services Board for the better development and supervision of its public parks and recreational activities, and that for such purposes it is necessary to endow such board with all the duties, responsibilities, powers, and privileges of the Caledonia Recreation Committee established under *The Department of Education Act*, The Kinsmen Park Community Centres Board and The MacKinnon Park Community Centres Board, established for the Town of Caledonia under *The Community Centres Act* and the council of the Town of Caledonia in respect of parks management under section 377 of *The Municipal Act*; and whereas the petitioner has prayed for special legislation in respect of such matters; and whereas it is expedient to grant the prayer of the petition;

R.S.O. 1960,
cc. 94, 60,
249

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. In this Act,

Interpre-
tation

- (a) "Board" means the Community Services Board established by this Act;
- (b) "Council" means the council of the Town of Caledonia.

2.—(1) Notwithstanding *The Department of Education Act* ^{Community Services Board} and the regulations thereunder, *The Community Centres Act* ^{R.S.O. 1960, cc. 94, 60, 329} and the regulations thereunder, and *The Public Parks Act*, there shall be a board to be known as the Community Services Board, which shall consist of,

- (a) the mayor of the Town of Caledonia;
- (b) one member of the Council appointed by the Council;

- (c) not fewer than three and not more than five persons appointed by the Council, who are resident in the Town of Caledonia or the townships of Seneca or Oneida, and qualified to be elected as members of council in their respective municipalities.

Term of
office

(2) The members of the Board who are not members of the Council shall hold office for two years, but, on the first appointment, the members shall hold office until the end of the year next following the appointment in which a general municipal election is to be held to elect members of the Council.

Idem

(3) The members of the Board shall hold office until their successors are appointed and are eligible for re-appointment.

Vacancies

(4) Where a member of the Board ceases to be a member before the expiration of his term, the Council shall appoint another qualified person for the unexpired portion of the term.

Quorum

(5) A majority of the members of the Board constitutes a quorum.

Chairman

(6) The Board shall elect a chairman and a vice-chairman from among the members of the Board, and, in the absence of the chairman, the vice-chairman shall preside at meetings of the Board.

Powers
and duties
of Board
R.S.O. 1960,
cc. 94, 60,
329

3. Except as otherwise provided in this Act, *The Department of Education Act* and the regulations thereunder, *The Community Centres Act* and the regulations thereunder and *The Public Parks Act*, except the provisions constituting a board of park management as a corporation and authorizing such a board to acquire and hold land, apply to the Board as if it had been established in accordance with such Acts and regulations.

Dissolution
of former
boards

4. When the Board is constituted,

(a) the Caledonia Recreation Committee, The Kinsmen Park Community Centres Board and The MacKinnon Park Community Centres Board are dissolved, and the assets and liabilities of such committee and boards become the assets and liabilities of the Town of Caledonia; and

(b) By-laws Nos. 400, 490 and 588 of the Town of Caledonia are repealed.

Power to
contract
and sue

5. The Board may contract and may sue and be sued in its own name, and the members thereof are not personally liable on any contract made by the Board.

6. The Board may expend moneys received from the Council only in accordance with the budget of the Board as <sup>Expendi-
tures by
Board</sup> approved from time to time by the Council, and any funds received by the Board for a specific purpose may be used by the Board only for such specific purpose.

7. The Council may pay the members of the Board for <sup>Remunera-
tion</sup> their services annually such amount as the Council may determine, but such amount shall not exceed the annual amount allowed to the members of the Council.

8. This Act comes into force on the day it receives Royal <sup>Commence-
ment</sup> Assent.

9. This Act may be cited as *The Town of Caledonia Act*, ^{Short title} 1967.

An Act respecting the Town of Caledonia

1st Reading

February 2nd, 1967

2nd Reading

February 16th, 1967

3rd Reading

February 24th, 1967

MR. EWEN

BILL Pr20

5TH SESSION, 27TH LEGISLATURE, ONTARIO
15-16 ELIZABETH II, 1967

An Act respecting the Township of Murray

MR. ROWE

(PRIVATE BILL)

TORONTO

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BILL Pr20

1967

An Act respecting the Township of Murray

WHEREAS The Corporation of the Township of Murray ^{Preamble} by its petition has prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. The council of The Corporation of the Township of ^{Debenture} Murray may pass a by-law, without obtaining the approval ^{by-law} of the Ontario Municipal Board, providing for the issue of debentures of the Corporation in a principal amount not exceeding \$150,000, payable in not more than fifteen years, for the purpose of paying the balance owing for the construction of an addition to the Stockdale Public School. ^{authorized}

2. Sections 55, 56, 57 and 58 of *The Ontario Municipal* ^{Application} *Board Act* apply in respect of a by-law passed under section 1 ^{of} *R.S.O. 1960,* and the debentures to be issued thereunder. ^{c. 274}

3. For the purposes of every Act, the Ontario Municipal ^{By-law} Board shall be deemed to have issued an order under section 63 ^{deemed} of *The Public Schools Act* and section 64 of *The Ontario Municipal Board Act* ^{approved} authorizing The Public School Board of the ^{by O.M.B.} Township School Area of the Township of Murray to proceed ^{R.S.O. 1960,} with the undertaking referred to in section 1 and authorizing ^{cc. 330, 274} The Corporation of the Township of Murray to issue debentures under section 1.

4. This Act comes into force on the day it receives Royal ^{Commence-} Assent. ^{ment}

5. This Act may be cited as *The Township of Murray Act*, ^{Short title} 1967.

An Act respecting the Township of Murray

1st Reading

2nd Reading

3rd Reading

MR. ROWE

(Private Bill)

BILL Pr20

5TH SESSION, 27TH LEGISLATURE, ONTARIO
15-16 ELIZABETH II, 1967

An Act respecting the Township of Murray

MR. ROWE

(Reprinted as amended by the Committee on Private Bills)

1872-1873

1872-1873

1872-1873

1872-1873

BILL Pr20

1967

An Act respecting the Township of Murray

WHEREAS The Corporation of the Township of Murray ^{Preamble} by its petition has prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. The council of The Corporation of the Township of Murray may pass a by-law, without obtaining the approval of the Ontario Municipal Board, providing for the issue of debentures of the Corporation in a principal amount not exceeding \$60,000, payable in not more than fifteen years, for the purpose of paying the balance owing for the construction of an addition to the Stockdale Public School. ^{Debenture by-law authorized}
2. Sections 55, 56, 57 and 58 of *The Ontario Municipal Board Act* apply in respect of a by-law passed under section 1 and the debentures to be issued thereunder. ^{Application of R.S.O. 1960, c. 274}
3. For the purposes of every Act, the Ontario Municipal Board shall be deemed to have issued an order under section 63 of *The Public Schools Act* and section 64 of *The Ontario Municipal Board Act* authorizing The Public School Board of the Township School Area of the Township of Murray to proceed with the undertaking referred to in section 1 and authorizing The Corporation of the Township of Murray to issue debentures under section 1. ^{By-law deemed approved by O.M.B. R.S.O. 1960, cc. 330, 274}
4. This Act comes into force on the day it receives Royal Assent. ^{Commencement}
5. This Act may be cited as *The Township of Murray Act*, 1967. ^{Short title}

An Act respecting the Township of Murray

1st Reading

February 13th, 1967

2nd Reading

3rd Reading

MR. ROWE

*(Reprinted as amended by the
Committee on Private Bills)*

BILL Pr20

5TH SESSION, 27TH LEGISLATURE, ONTARIO
15-16 ELIZABETH II, 1967

An Act respecting the Township of Murray

MR. ROWE

TORONTO

PRINTED AND PUBLISHED BY FRANK FOGG, QUEEN'S PRINTER

Bill 197

THE TOWN OF BURLINGTON
12th December 1971

in respect of the Township of Burlington

12th December 1971

12th December 1971
[Signature] (Name of Person)

BILL Pr20

1967

An Act respecting the Township of Murray

WHEREAS The Corporation of the Township of Murray ^{Preamble} by its petition has prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. The council of The Corporation of the Township of Murray may pass a by-law, without obtaining the approval of the Ontario Municipal Board, providing for the issue of debentures of the Corporation in a principal amount not exceeding \$60,000, payable in not more than fifteen years, for the purpose of paying the balance owing for the construction of an addition to the Stockdale Public School. ^{Debenture by-law authorized}
2. Sections 55, 56, 57 and 58 of *The Ontario Municipal Board Act* apply in respect of a by-law passed under section 1 and the debentures to be issued thereunder. ^{Application of R.S.O. 1960, c. 274}
3. For the purposes of every Act, the Ontario Municipal Board shall be deemed to have issued an order under section 63 of *The Public Schools Act* and section 64 of *The Ontario Municipal Board Act* authorizing The Public School Board of the Township School Area of the Township of Murray to proceed with the undertaking referred to in section 1 and authorizing The Corporation of the Township of Murray to issue debentures under section 1. ^{By-law deemed approved by O.M.B. R.S.O. 1960, cc. 330, 274}
4. This Act comes into force on the day it receives Royal Assent. ^{Commencement}
5. This Act may be cited as *The Township of Murray Act*, ^{Short title} 1967.

An Act respecting the Township of Murray

1st Reading

February 13th, 1967

2nd Reading

February 20th, 1967

3rd Reading

February 24th, 1967

Mr. ROWE

BILL Pr21

5TH SESSION, 27TH LEGISLATURE, ONTARIO
15-16 ELIZABETH II, 1967

An Act to establish The Kitchener and District Public School Board

MR. BUTLER

(PRIVATE BILL)

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BILL Pr21 1967

**An Act to establish
The Kitchener and District Public School Board**

WHEREAS The Kitchener Public School Board, The Union Public School Board of Bridgeport and The Public School Board of the Township School Area of Waterloo by their petition have prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the petition;

Preamble

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. In this Act, "Board" means The Kitchener and District Public School Board.

Board defined

2. An urban school board known as The Kitchener and District Public School Board is hereby established, with jurisdiction, control, management and administration of all public elementary schools within the City of Kitchener, the Village of Bridgeport and the Township of Waterloo, and for the purposes of any Act such Board shall be deemed to have been established under *The Public Schools Act* and *The Schools Administration Act*, and the City of Kitchener, the Village of Bridgeport and the Township of Waterloo are hereby designated as a public school section.

Kitchener and District Public School Board established

R.S.O. 1960, cc. 330, 361

3. The Board shall, for the year 1967, be composed of,

Composition of Board for 1967

- (a) the ten members elected to The Kitchener Public School Board at the last election held in the City of Kitchener before this Act comes into force;
- (b) the six members elected to The Union Public School Board of Bridgeport at the last election held in the Village of Bridgeport before this Act comes into force; and

- (c) the five members elected to The Public School Board of the Township School Area of Waterloo at the last election held in the Township of Waterloo before this Act comes into force.

Composition
of Board
after 1967

4. For the year 1968 and subsequent years, the Board shall be composed of,

- (a) nine members who shall be elected by the general vote of the persons qualified to vote for public school trustees within the City of Kitchener;
- (b) one member who shall be elected by the general vote of the persons qualified to vote for a public school trustee within the Village of Bridgeport; and
- (c) two members who shall be elected by the general vote of the persons qualified to vote for public school trustees within the Township of Waterloo.

Application
of
R.S.O. 1960,
c. 330
re election
of trustees

5. The provisions of *The Public Schools Act* with respect to qualifications of urban school trustees and the election of such trustees by ballot apply to the election of trustees to the Board.

Qualifica-
tions for
nominations

6. No person is disqualified from nomination and election as a member of the Board at the first election of members thereof by reason of being at that time a public school or high school trustee.

Property
and
liabilities
of Board

7. Upon the coming into force of this Act,

- (a) all real property that is vested for public school purposes in The Kitchener Public School Board, The Union Public School Board of Bridgeport or The Public School Board of the Township School Area of Waterloo becomes vested in the Board; and
- (b) all assets and liabilities of The Kitchener Public School Board, The Union Public School Board of Bridgeport and The Public School Board of the Township School Area of Waterloo become the assets and liabilities of the Board.

Outstanding
debentures

8.—(1) Debenture payments outstanding on the 31st day of December, 1966 with respect to real properties vested for public school purposes in The Kitchener Public School Board, The Union Public School Board of Bridgeport or The Public School Board of the Township School Area of Waterloo shall, on the 1st day of January, 1967, become the liability of the Board.

(2) Contracts for the transportation of pupils to schools and agreements with teachers employed in schools and other personnel employed by The Kitchener Public School Board, The Union Public School Board of Bridgeport or The Public School Board of the Township School Area of Waterloo on the 31st day of December, 1966 shall, on the 1st day of January, 1967, become obligations of the Board. Outstanding contracts

9.—(1) All debentures to be issued for the construction of public elementary schools of the Board, or additions thereto, shall be issued by The Corporation of the City of Kitchener. Debentures for construction

(2) The council of the City of Kitchener shall be deemed to be a majority for the purpose of subsection 4 of section 63 of *The Public Schools Act*. Council deemed majority for purposes of R.S.O. 1960, c. 330, s. 63, subs. 4

10. The provisions of *The Public Schools Act* and *The Schools Administration Act* that are not inconsistent with this Act apply to the Board. Application of R.S.O. 1960, cc. 330, 361

11. The public school section under the jurisdiction of the Board shall not be altered or dissolved without the consent of the Minister of Education. Dissolution of section

12. The annual requisition of the Board shall be apportioned on the basis of the assessment for public school purposes in each municipality in the preceding year, adjusted by the provincial equalizing factor supplied by the Department of Municipal Affairs. Apportionment of requisition of Board

13. This Act shall be deemed to have come into force on the 1st day of January, 1967. Commencement

14. This Act may be cited as *The Kitchener and District Public School Board Act, 1967*. Short title

An Act to establish The Kitchener
and District Public School Board

1st Reading

2nd Reading

3rd Reading

MR. BUTLER

(*Private Bill*)

BILL Pr21

5TH SESSION, 27TH LEGISLATURE, ONTARIO
15-16 ELIZABETH II, 1967

An Act to establish The Kitchener and District Public School Board

MR. BUTLER

(Reprinted as amended by the Committee on Private Bills)

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LIBRARY

BILL Pr21 **1967**

An Act to establish The Kitchener and District Public School Board

WHEREAS The Kitchener Public School Board, The Union Public School Board of Bridgeport and The Public School Board of the Township School Area of Waterloo by their petition have prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the petition;

Preamble

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. In this Act, "Board" means The Kitchener and District Public School Board.

Board defined

2. An urban school board known as The Kitchener and District Public School Board is hereby established, with jurisdiction, control, management and administration of all public elementary schools within the City of Kitchener, the Village of Bridgeport and the Township of Waterloo, and for the purposes of any Act such Board shall be deemed to have been established under *The Public Schools Act* and *The Schools Administration Act*, and the City of Kitchener, the Village of Bridgeport and the Township of Waterloo are hereby designated as a public school section.

Kitchener and District Public School Board established

R.S.O. 1960, cc. 330, 361

3. The Board shall, for the year 1967, be composed of,

Composition of Board for 1967

- (a) the ten members elected to The Kitchener Public School Board at the last election held in the City of Kitchener before this Act comes into force;
- (b) the six members elected to The Union Public School Board of Bridgeport at the last election held in the Village of Bridgeport before this Act comes into force; and

- (c) the five members elected to The Public School Board of the Township School Area of Waterloo at the last election held in the Township of Waterloo before this Act comes into force.

Composition
of Board
after 1967

4. For the year 1968 and subsequent years, the Board shall be composed of,

- (a) nine members who shall be elected by the general vote of the persons qualified to vote for public school trustees within the City of Kitchener;
- (b) one member who shall be elected by the general vote of the persons qualified to vote for a public school trustee within the Village of Bridgeport; and
- (c) two members who shall be elected by the general vote of the persons qualified to vote for public school trustees within the Township of Waterloo.

Application
of
R.S.O. 1960,
c. 330
re election
of trustees

5. The provisions of *The Public Schools Act* with respect to qualifications of urban school trustees and the election of such trustees by ballot apply to the election of trustees to the Board.

Qualifica-
tions for
nominations

6. No person is disqualified from nomination and election as a member of the Board at the first election of members thereof by reason of being at that time a public school or high school trustee.

Property
and
liabilities
of Board

7. Upon the coming into force of this Act,

- (a) all real property that is vested for public school purposes in The Kitchener Public School Board, The Union Public School Board of Bridgeport or The Public School Board of the Township School Area of Waterloo becomes vested in the Board; and
- (b) all assets and liabilities of The Kitchener Public School Board, The Union Public School Board of Bridgeport and The Public School Board of the Township School Area of Waterloo become the assets and liabilities of the Board.

Outstanding
debentures

8.—(1) Debenture payments outstanding on the 31st day of December, 1966 with respect to real properties vested for public school purposes in The Kitchener Public School Board, The Union Public School Board of Bridgeport or The Public School Board of the Township School Area of Waterloo shall, on the 1st day of January, 1967, become the liability of the Board.

(2) Contracts for the transportation of pupils to schools and agreements with teachers employed in schools and other personnel employed by The Kitchener Public School Board, The Union Public School Board of Bridgeport or The Public School Board of the Township School Area of Waterloo on the 31st day of December, 1966 shall, on the 1st day of January, 1967, become obligations of the Board. Outstanding contracts

9.—(1) All debentures to be issued for the construction of public elementary schools of the Board, or additions thereto, shall be issued by The Corporation of the City of Kitchener. Debentures for construction

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10. The provisions of *The Public Schools Act* and *The Schools Administration Act* that are not inconsistent with this Act apply to the Board. Application of R.S.O. 1960, cc. 330, 361

11. The public school section under the jurisdiction of the Board shall not be altered or dissolved without the consent of the Minister of Education. Dissolution of section

12. The annual requisition of the Board shall be apportioned on the basis of the assessment for public school purposes in each municipality in the preceding year, adjusted by the latest provincial equalization factor supplied by the Department of Municipal Affairs or upon such other basis as may be agreed upon by all the municipalities. Apportionment of requisition of Board

13. This Act shall be deemed to have come into force on the 1st day of January, 1967. Commencement

14. This Act may be cited as *The Kitchener and District Public School Board Act, 1967*. Short title

THE UNIVERSITY OF CHICAGO

1882

An Act to establish The Kitchener
and District Public School Board

1st Reading

February 2nd, 1967

2nd Reading

3rd Reading

MR. BUTLER

*(Reprinted as amended by the
Committee on Private Bills)*

BILL Pr21

5TH SESSION, 27TH LEGISLATURE, ONTARIO
15-16 ELIZABETH II, 1967

An Act to establish The Kitchener and District Public School Board

MR. BUTLER

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BILL Pr21

1967

An Act to establish The Kitchener and District Public School Board

WHEREAS The Kitchener Public School Board, The Preamble
Union Public School Board of Bridgeport and The
Public School Board of the Township School Area of Waterloo
by their petition have prayed for special legislation in respect
of the matters hereinafter set forth; and whereas it is expedient
to grant the prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent
of the Legislative Assembly of the Province of Ontario, enacts
as follows:

1. In this Act, "Board" means The Kitchener and District Board defined
Public School Board.

2. An urban school board known as The Kitchener and Kitchener and District Public School Board established
District Public School Board is hereby established, with
jurisdiction, control, management and administration of all
public elementary schools within the City of Kitchener, the
Village of Bridgeport and the Township of Waterloo, and
for the purposes of any Act such Board shall be deemed to
have been established under *The Public Schools Act* and R.S.O. 1960, cc. 330, 361
The Schools Administration Act, and the City of Kitchener,
the Village of Bridgeport and the Township of Waterloo are
hereby designated as a public school section.

3. The Board shall, for the year 1967, be composed of, Composition of Board for 1967

- (a) the ten members elected to The Kitchener Public School Board at the last election held in the City of Kitchener before this Act comes into force;
- (b) the six members elected to The Union Public School Board of Bridgeport at the last election held in the Village of Bridgeport before this Act comes into force; and

- (c) the five members elected to The Public School Board of the Township School Area of Waterloo at the last election held in the Township of Waterloo before this Act comes into force.

Composition
of Board
after 1967

4. For the year 1968 and subsequent years, the Board shall be composed of,

- (a) nine members who shall be elected by the general vote of the persons qualified to vote for public school trustees within the City of Kitchener;
- (b) one member who shall be elected by the general vote of the persons qualified to vote for a public school trustee within the Village of Bridgeport; and
- (c) two members who shall be elected by the general vote of the persons qualified to vote for public school trustees within the Township of Waterloo.

Application
of
R.S.O. 1960,
c. 330,
re election
of trustees

5. The provisions of *The Public Schools Act* with respect to qualifications of urban school trustees and the election of such trustees by ballot apply to the election of trustees to the Board.

Qualifica-
tions for
nominations

6. No person is disqualified from nomination and election as a member of the Board at the first election of members thereof by reason of being at that time a public school or high school trustee.

Property
and
liabilities
of Board

7. Upon the coming into force of this Act,

- (a) all real property that is vested for public school purposes in The Kitchener Public School Board, The Union Public School Board of Bridgeport or The Public School Board of the Township School Area of Waterloo becomes vested in the Board; and
- (b) all assets and liabilities of The Kitchener Public School Board, The Union Public School Board of Bridgeport and The Public School Board of the Township School Area of Waterloo become the assets and liabilities of the Board.

Outstanding
debentures

8.—(1) Debenture payments outstanding on the 31st day of December, 1966 with respect to real properties vested for public school purposes in The Kitchener Public School Board, The Union Public School Board of Bridgeport or The Public School Board of the Township School Area of Waterloo shall, on the 1st day of January, 1967, become the liability of the Board.

(2) Contracts for the transportation of pupils to schools and agreements with teachers employed in schools and other personnel employed by The Kitchener Public School Board, The Union Public School Board of Bridgeport or The Public School Board of the Township School Area of Waterloo on the 31st day of December, 1966 shall, on the 1st day of January, 1967, become obligations of the Board. Outstanding contracts

9.—(1) All debentures to be issued for the construction of public elementary schools of the Board, or additions thereto, shall be issued by The Corporation of the City of Kitchener. Debentures for construction

(2) The council of the City of Kitchener shall be deemed to be a majority for the purpose of subsection 4 of section 63 of *The Public Schools Act*. Council deemed majority for purposes of R.S.O. 1960, c. 330, s. 63, subs. 4

10. The provisions of *The Public Schools Act* and *The Schools Administration Act* that are not inconsistent with this Act apply to the Board. Application of R.S.O. 1960, cc. 330, 361

11. The public school section under the jurisdiction of the Board shall not be altered or dissolved without the consent of the Minister of Education. Dissolution of section

12. The annual requisition of the Board shall be apportioned on the basis of the assessment for public school purposes in each municipality in the preceding year, adjusted by the latest provincial equalization factor supplied by the Department of Municipal Affairs or upon such other basis as may be agreed upon by all the municipalities. Apportionment of requisition of Board

13. This Act shall be deemed to have come into force on the 1st day of January, 1967. Commencement

14. This Act may be cited as *The Kitchener and District Public School Board Act, 1967*. Short title

An Act to establish The Kitchener
and District Public School Board

1st Reading

February 2nd, 1967

2nd Reading

February 20th, 1967

3rd Reading

February 24th, 1967

MR. BUTLER

BILL Pr22

5TH SESSION, 27TH LEGISLATURE, ONTARIO
15-16 ELIZABETH II, 1967

An Act respecting the City of Windsor

MR. THRASHER

(PRIVATE BILL)

Summary of the results of the experiments on the effect of the concentration of the solution on the rate of reaction

Summary of the results of the experiments on the effect of the concentration of the solution on the rate of reaction

Concentration of the solution, g/l.	Rate of reaction, %/min.			
	0.1	0.2	0.3	0.4
0.1	0.1	0.2	0.3	0.4
0.2	0.2	0.4	0.6	0.8
0.3	0.3	0.6	0.9	1.2
0.4	0.4	0.8	1.2	1.6

Conc. of the solution

BILL Pr22

1967

An Act respecting the City of Windsor

WHEREAS The Corporation of the City of Windsor, ^{Preamble}
 herein called the Corporation, by its petition has prayed
 for special legislation in respect of the matters hereinafter
 set forth; and whereas it is expedient to grant the prayer of
 the petition;

Therefore, Her Majesty, by and with the advice and consent
 of the Legislative Assembly of the Province of Ontario, enacts
 as follows:

1. Notwithstanding section 406 of *The Municipal Act*, ^{Annual remuneration of councillors R.S.O. 1960, c. 249}
 the council of the Corporation may by by-law provide for
 paying the members of the council an annual allowance not
 exceeding \$5,000.

2. This Act shall be deemed to have come into force on ^{Commence-ment}
 the 1st day of January, 1967.

3. This Act may be cited as *The City of Windsor Act, 1967*. ^{Short title}

An Act respecting the City of Windsor

1st Reading

2nd Reading

3rd Reading

MR. THRASHER

(*Private Bill*)

BILL Pr23

5TH SESSION, 27TH LEGISLATURE, ONTARIO
15-16 ELIZABETH II, 1967

An Act respecting the Borough of Etobicoke

MR. EAGLESON

(PRIVATE BILL)

RECEIVED BY THE DIRECTOR, FBI, WASHINGTON, D. C.
 JAN 10 1964

RECEIVED BY THE DIRECTOR, FBI, WASHINGTON, D. C.
 JAN 10 1964

141B-1-10-64

(141B-1-10-64)

BILL Pr23

1967

An Act respecting the Borough of Etobicoke

WHEREAS The Corporation of the Borough of Etobicoke, herein called the Corporation, by its petition has prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the petition;

Preamble

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. The Corporation may pass by-laws prohibiting the sale of fruit, candy, peanuts, ice cream, ice cream cones, frozen milk, frozen desserts or other confections from a basket or wagon, cart or other vehicle upon any highway or part of it, or in any public park or other public place.

Prohibition
of street
vending of
refresh-
ments

2. This Act comes into force on the day it receives Royal Assent.

Commence-
ment

3. This Act may be cited as *The Borough of Etobicoke Act*, 1967.

Short title

An Act respecting the
Borough of Etobicoke

1st Reading

2nd Reading

3rd Reading

MR. EAGLESON

(Private Bill)

BILL Pr23

5TH SESSION, 27TH LEGISLATURE, ONTARIO
15-16 ELIZABETH II, 1967

An Act respecting the Borough of Etobicoke

MR. EAGLESON

TORONTO

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BILL Pr23

1967

An Act respecting the Borough of Etobicoke

WHEREAS The Corporation of the Borough of Etobicoke, herein called the Corporation, by its petition has prayed for special legislation in respect of the matters herein-after set forth; and whereas it is expedient to grant the prayer of the petition; Preamble

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. The Corporation may pass by-laws prohibiting the sale of fruit, candy, peanuts, ice cream, ice cream cones, frozen milk, frozen desserts or other confections from a basket or wagon, cart or other vehicle upon any highway or part of it, or in any public park or other public place. Prohibition of street vending of refreshments

2. This Act comes into force on the day it receives Royal Assent. Commencement

3. This Act may be cited as *The Borough of Etobicoke Act*, 1967. Short title

An Act respecting the
Borough of Etobicoke

1st Reading

February 13th, 1967

2nd Reading

February 23rd, 1967

3rd Reading

February 27th, 1967

MR. EAGLESON

BILL Pr24

5TH SESSION, 27TH LEGISLATURE, ONTARIO
15-16 ELIZABETH II, 1967

An Act respecting the City of Toronto

MR. COWLING

(PRIVATE BILL)

BILL Pr24

1967

An Act respecting the City of Toronto

WHEREAS The Corporation of the City of Toronto, ^{Preamble}
 herein called the Corporation, by its petition has
 prayed for special legislation in respect of the matters herein-
 after set forth; and whereas it is expedient to grant the prayer
 of the petition;

Therefore, Her Majesty, by and with the advice and consent
 of the Legislative Assembly of the Province of Ontario, enacts
 as follows:

1. The Corporation may by by-law authorize agreements <sup>Agreements
for pedes-
trian walks</sup>
 between the Corporation and the owners or lessees of land
 abutting on a highway for the construction, maintenance and
 use of walks for pedestrians over, across or under the highway
 upon such terms and conditions as may be agreed and for
 contributing to the whole or any part of the cost thereof and
 for leasing or licensing the use of untravelled portions of
 such walks and adjoining lands to persons for such con-
 siderations and upon such terms and conditions as may be
 agreed.

2. The Corporation may by by-law designate as historic <sup>Designation
of historic
sites</sup>
 sites such buildings and the lands on which they stand as may
 be deemed by the council of the Corporation to be worthy
 of preservation for either architectural or historical reasons,
 describing such sites by metes and bounds and including
 therein so much of the surrounding lands as the council may
 deem desirable to include in such historic sites, and thereafter
 the Corporation may defer or require the deferring of the
 issuance of any permit for the doing of any work or demolition
 on such described lands for a period of sixty days from the date
 of application for such permit, provided that the total period
 of such deferment shall not exceed sixty days.

3. By-law No. 23034 of the Corporation, being "A By-law <sup>Window
cleaners
by-law
validated</sup>
 To regulate and control the installation, maintenance, inspec-
 tion and use of safety devices and other equipment used by

window cleaners", passed the 9th day of November, 1966, set out as the Schedule hereto, is hereby validated and confirmed and shall extend to the City of Toronto as now constituted, and the said by-law may be amended from time to time to such extent as may be approved by the Ontario Municipal Board.

1960-61,
c. 137, s. 2,
amended

4. Section 2 of *The City of Toronto Act, 1960-61* is amended by adding thereto the following clause:

(aa) purchase, lease or acquire from The Municipality of Metropolitan Toronto land and buildings within the Metropolitan Area as defined in *The Municipality of Metropolitan Toronto Act*.

R.S.O. 1960,
c. 260

Pensions
for widow
and children
of deceased
firefighter

5. The Corporation may by by-law grant to the widow and children or any of them of the late Richard Louis Gibb, who was at the time of his death on or about the 25th day of September, 1965, in the employ of the Corporation as a firefighter, pensions and benefits in any amounts not exceeding the amount of the pensions and benefits which would have been payable to them pursuant to any by-law or by-laws of the Corporation in force on the 1st day of January, 1966, as if the said Richard Louis Gibb had died on or after the 1st day of January, 1966, subject to such limitations and conditions as may be prescribed in the by-law passed under this section.

1936, c. 84,
s. 6, subs. 1,
re-enacted

6.—(1) Subsection 1 of section 6 of *The City of Toronto Act, 1936*, as amended by subsection 1 of section 3 of *The City of Toronto Act, 1941* and subsection 1 of section 3 of *The City of Toronto Act, 1960*, is repealed and the following substituted therefor:

Interpreta-
tion

(1) In this section,

"Corpora-
tion"

(a) "corporation" means The Corporation of the City of Toronto;

"Dwelling"

(b) "dwelling" includes any building, part of a building, tent, trailer or other covering or structure, the whole or any portion of which has been used, is used or is capable of being used for the purposes of human habitation with the land and premises appurtenant thereto and all outbuildings, fences or erections thereon or therein and every dwelling unit within the dwelling;

"Dwelling
unit"

(c) "dwelling unit" means one or more rooms located within a dwelling and used or intended to be used for human habitation by one or more persons;

- (d) "inspector" means the person or persons from "Inspector" time to time designated by the council of the corporation to enforce the provisions of a by-law passed under this section;
- (e) "order", except in subsections 18 and 19, "Order" means a notice of violation and order to demolish or repair a dwelling pursuant to a by-law passed under this section;
- (f) "owner" includes the person for the time "Owner" being managing or receiving the rent of the land or premises in connection with which the word is used, whether on his own account or as agent or trustee of any other person or who would so receive the rent if such land and premises were let, or a vendor of such land under an agreement for sale who has paid any municipal taxes thereon after the effective date of the agreement;
- (g) "repair" includes taking the necessary action "Repair" to bring any dwelling to the standards;
- (h) "standards" means the standards for the "Standards" maintenance and improvement of the physical condition and for the fitness for occupancy prescribed by a by-law passed under this section.

(2) Subsection 2 of the said section 6 is repealed and the following substituted therefor: 1936, c. 84,
s. 6, subs. 2,
re-enacted

(2) The council of the corporation may pass by-laws, Authority
to pass
by-laws

- (a) for providing standards for dwellings or any class or classes thereof within the municipality or within any defined area or areas and for prohibiting any person from using, permitting to be used, renting or offering to rent any such dwelling that does not conform to the standards;
- (b) for preventing the overcrowding of dwellings or any class or classes thereof within the municipality or within any defined area or areas thereof by limiting the number of persons who may inhabit a dwelling unit and who may use a room for sleeping purposes

and for prohibiting any person from using, permitting to be used, renting or offering to rent any dwelling in violation thereof;

(c) for requiring the owner of any dwelling and to the extent that he is made responsible by the lease or agreement under which he occupies the property the occupant thereof to repair and maintain the dwelling in accordance with the standards or demolish the whole or any part of the dwelling;

(d) for appointing one or more inspectors; and

(e) for prohibiting the removal from any premises of any sign, notice or placard placed thereon pursuant to this section or a by-law passed under the authority of this section except by such persons and under such circumstances as may be prescribed therein.

1936, c. 84,
s. 6, subs. 6
(1956,
c. 125, s. 4,
subs. 1),
re-enacted

(3) Subsection 6 of the said section 6, as re-enacted by subsection 1 of section 4 of *The City of Toronto Act, 1956*, is repealed and the following substituted therefor:

Power of
corporation
to make
repairs

(6) If the owner or occupant of a dwelling fails to demolish the dwelling or to repair in accordance with an order as confirmed or modified, the corporation in addition to all other remedies,

(a) shall have the right to demolish or repair the dwelling accordingly and to do any work on adjoining property necessitated by such demolition or repair, and for those purposes with its servants and agents from time to time to enter in and upon the dwelling and adjoining property;

(b) shall not be liable to compensate such owner, occupant, or any other person by reason of anything done by or on behalf of the corporation under the provisions of this subsection; and

(c) shall have a lien for any amount expended by or on behalf of the corporation under the authority of this subsection together with interest thereon at a rate to be fixed in the

manner provided in subsection 4 upon the dwelling in respect of which such amount was expended, and the certificate of the clerk of the municipality as to such amount shall be final, and such amount shall be deemed to be taxes and added to the collector's roll of taxes for the current year and shall be collected in the same manner as real property taxes.

(4) Subsection 9 of the said section 6, as re-enacted by 1936, c. 84, s. 6, subs. 9 (1956, c. 125, s. 4, subs. 2) amended subsection 2 of section 4 of *The City of Toronto Act, 1956*, is amended by striking out "or 6" in the first line and by striking out "subsections 3 and 6 shall" in the eighth line and inserting in lieu thereof "subsection 3" so that the subsection shall read as follows:

- (9) Before proceeding under subsection 3, the corporation shall notify any mortgagee, vendor under agreement for sale or other encumbrancer appearing on the registered title, by registered letter, specifying wherein the said dwelling unit, building or premises are defective, and if the defects are not remedied within one month from such notification, then the provisions of subsection 3 apply.

(5) Subsection 10a of the said section 6, as enacted by 1936, c. 84, s. 6, subs. 10a (1955, c. 117, s. 4), re-enacted section 4 of *The City of Toronto Act, 1955*, is repealed and the following substituted therefor:

- (10a) Where a conviction has been recorded against any person in respect of a dwelling that does not conform to a by-law passed under the authority of this section or to any by-law to provide for the safety of buildings, or where the owner or occupant of a dwelling fails to demolish the dwelling or to repair in accordance with an order as confirmed or modified, the inspector may order that such dwelling be closed and remain closed, and prohibit its use as a dwelling, until the condition has been rectified, provided that notice thereof is given forthwith to the owner or to an adult person in the dwelling, and in addition the inspector may give such notice to occupants and prospective occupants by posting signs or placards on the premises or by such other method as he deems necessary.

(6) Subsection 13 of the said section 6, as enacted by 1936, c. 84, s. 6, subs. 13 (1960, c. 170, s. 3, subs. 3), re-enacted subsection 3 of section 3 of *The City of Toronto Act, 1960*, is repealed and the following substituted therefor:

Removal or
demolition
authorized

R.S.O. 1960,
c. 321

1936, c. 84,
s. 6,
amended

Notice of
violation

Contents
of order

Substituted
service

(13) The council of the corporation may pass by-laws ordering the removal or demolition of any dwelling that has been condemned pursuant to section 99 of *The Public Health Act* as unfit for human habitation or dangerous to health.

(7) The said section 6, as amended by section 3 of *The City of Toronto Act, 1941*, section 4 of *The City of Toronto Act, 1955*, section 4 of *The City of Toronto Act, 1956* and section 3 of *The City of Toronto Act, 1960*, is further amended by adding thereto the following subsections:

(20) If after inspection the inspector is satisfied that in some respect any dwelling violates the standards he may make an order, in which case he shall serve or cause to be served upon the registered owner of the dwelling and all persons shown by the records of the registry office, the land titles office and the sheriff's office to have an interest therein and all occupants known to him over the age of twenty-one years, a copy of the order, and, notwithstanding the foregoing, any by-law passed pursuant to this section may be enforced in accordance with subsection 7, provided that the inspector has sent or caused to be sent a copy of such order to the owner of the dwelling against whom such proceeding is taken by prepaid registered mail to his last-known address;

(21) The order shall contain,

- (a) a description of the dwelling sufficient to identify and locate it;
- (b) the particulars of the violation and the time in which the demolition or repair to bring the dwelling to the standards are to be made;
- (c) the final date for giving notice of appeal, if any, from the order; and
- (d) the form of notice of appeal which shall be annexed to the order and which shall show the place to which the notice of appeal must be sent.

(22) If the inspector is unable to locate or serve the owner or any other person on whom he desires to serve an order or where it is ascertained that the owner or any such person is not within Ontario, the inspector may send or cause to be sent by prepaid registered mail a copy of such order addressed to such

owner or other persons at his or their last-known address and he may place a placard containing the terms of the order in a conspicuous place on the property, and the sending of the copy of the order and the placing of the placard shall be deemed to be sufficient service of the order on the owner or other persons.

- (23) When an order has been served in accordance with this section, unless he has given notice of appeal in accordance with the section or, when an order has been sent by prepaid registered mail, the owner and the occupant, if he is liable, shall carry out the repair or demolition within the time and in the manner specified in the order. ^{Duty of owner upon receipt of notice}
- (24) When the owner or occupant who has been served in accordance with this section is not satisfied that the dwelling should be demolished or that the repair ordered is necessary to bring the existing conditions up to the standards, he may give notice of appeal to the housing standards appeal committee by returning the notice of appeal in the form annexed to the order to the clerk of the municipality within ten days after service of the order on him as herein provided, and, in the event that no notice of appeal is given, the order shall be deemed to have been confirmed. ^{Appeal}
- (25) Where notice of appeal is given in accordance with this section, after affording a reasonable opportunity to every person on whom an order has been served to make such representations as he sees fit, and after inspecting the dwelling in the presence of any such person if so requested by him in writing, the committee shall have the powers and functions of the inspector and may confirm the order to demolish or repair or may modify or discharge it, provided that nothing herein shall authorize the committee to permit a breach of any by-law passed hereunder. ^{Decision on appeal}
- (26) The order, as confirmed or modified, shall be final and binding upon the owner and occupant who shall make the repair or effect the demolition within the time and in the manner specified in the order, as confirmed or modified. ^{Effect of decision}
- (27) When an order has been served in accordance with subsection 20 or 22, the order may be registered in the proper registry office or registered as a caution ^{Registration of order}

in the proper land titles office, and, when so registered, all conveyances, mortgages, leases or other dispositions of the land to which the order applies and all interests acquired under any such conveyances, mortgages, leases or dispositions shall be subject to such order as confirmed or modified, and such order shall be an encumbrance on the land.

Discharge
of order

- (28) When the requirements of the order have been satisfied the city clerk shall deliver to any interested person a certificate that the order has been so satisfied, and such certificate may be registered in the same manner as the order and shall operate as a discharge thereof.

Housing
standards
appeal
committee

- (29) When the council of the corporation has passed a by-law under this section it shall constitute and appoint a housing standards appeal committee composed of six persons as the council deems desirable.

Term of
office

- (30) Members of the committee shall hold office for three years and until their successors are appointed, and are eligible for re-appointment, and, when a member ceases to be a member before the expiration of his term, the council shall appoint another person for the unexpired portion of his term.

Chairman

- (31) The committee may elect its own chairman and vice-chairman who shall preside in the absence of the chairman.

Division of
committee

- (32) The committee may sit in two divisions, in which case the chairman shall preside in respect of one division and the vice-chairman in respect of the other, and when so sitting each division has all the powers of the committee hereunder.

Secretary

- (33) The committee may appoint one or more secretaries.

Quorum

- (34) Three members of the committee are a quorum.

Rules of
procedure

- (35) The committee may adopt its own rules of procedure.

Notice

- (36) The committee, before hearing an appeal, shall give notice of the hearing and after hearing an appeal, of the result thereof, in such manner and to such persons as the committee deems proper.

Oaths

- (37) The chairman and the vice-chairman of the committee may administer oaths.

(38) The members of the committee may be paid such remuneration as the council may provide. ^{Remuneration}

(39) No person shall sell, mortgage or lease or agree to sell, mortgage or lease any dwelling in respect of which an order has been served under this section or any by-law passed hereunder without first having furnished any proposed purchaser, mortgagee or lessee with a true copy of such order. ^{Furnishing copy of order}

(40) Every owner shall have the right to enter and repair any dwelling pursuant to an order, notwithstanding anything contained in or resulting from a lease or agreement pursuant to which possession of the dwelling has been given to another person. ^{Owner's right of entry}

7. Section 2 of *The City of Toronto Act (No. 1), 1946* ^{1946, c. 141, s. 2, amended} is amended by striking out "Minister of Municipal Affairs" in the first and second lines and inserting in lieu thereof "Minister of Economics and Development" so that the section, exclusive of the clauses, shall read as follows:

2. Subject to the approval of the Minister of Economics and Development, the council of the corporation may pass by-laws for undertaking slum clearance or low-rental housing projects within the municipality, and for such purpose may,—

8. This Act comes into force on the day it receives Royal Assent. ^{Commencement}

9. This Act may be cited as *The City of Toronto Act, 1967*. ^{Short title}

SCHEDULE

BY-LAW NO. 23034

To regulate and control the installation, maintenance, inspection and use of safety devices and other equipment used by window cleaners.

(Passed November 9, 1966)

The Council of The Corporation of the City of Toronto enacts as follows:

1.—(1) This By-law shall be administered by the Commissioner of Buildings for the City of Toronto.

(2) This By-law may be cited as The Window Cleaning Safety By-law.

2. In this By-law,

(1) "anchor" means an anchor on a building to which a safety-belt may be fastened, such anchor being designed, installed and maintained in accordance with the recommendations of the Code;

(2) "Code" means the Canadian Standards Association Code of Practice for Window Cleaning, Specification No. Z91-1959;

(3) "employer" means a person in the business of cleaning windows who is self-employed or hires others to clean windows;

(4) "grade" means the lowest level of the ground abutting a wall in which windows are being cleaned;

(5) "guard-rail" means a protective barrier that,

(i) consists of a 2-inch by 4-inch wood rail securely supported on 2-inch by 4-inch wood posts spaced at intervals of not more than 8 feet, or of metal rails and posts of equivalent strength and rigidity,

(ii) is not less than 36 inches or more than 42 inches above the suspended or swing-stage scaffold platform,

(iii) has a 1-inch by 4-inch wood rail or a metal rail of equivalent strength and rigidity on the inner side of the posts midway between the top rail and the toe-board,

(iv) has a 5-inch toe-board securely fastened to the lower extremities of the posts, and

(v) is free of splinters and protruding nails and bolts;

(6) "life-line" means a line—

(i) made of the best grade manila or cotton rope not less than $\frac{5}{8}$ of an inch in diameter, and

(ii) securely attached overhead to a structural part of the building;

(7) "person" includes a corporation;

(8) "safety-belt" means a safety-belt that is designed and maintained in accordance with the recommendations of the Code;

- (9) "suspended scaffold" or "swing-stage scaffold" means a scaffold suspended from overhead supports by ropes or cables and equipped with winches or pulley blocks to raise and lower the scaffold;
- (10) "window cleaning" means the operation of cleaning windows by any means.

3. No person shall clean windows and no employer shall permit any person to clean windows in a manner contrary to this By-law.

- 4.—(1) (a) Every owner shall install and maintain anchors for all windows in a building with sills 10 feet or more above grade except where such sills are less than 10 feet above an adjoining flat roof or balcony that is not less than 3 feet in width.

- (b) Paragraph (a) of subsection (1) of section 4 does not apply where the windows are so constructed that the outside of the windows may be cleaned safely from inside the building or where the windows of the building are cleaned only from a suspended scaffold, swing-stage scaffold, or boatswain's chair, or from a ladder in accordance with this section.

(2) Where the head of any window is more than 30 feet above grade, no person shall clean windows from a ladder.

- (3) (a) No person shall clean windows from an outside sill which is 10 feet or more above grade unless anchors are provided and such person uses a safety-belt securely fastened to the anchors on the building.

- (b) Every employer shall provide and maintain a safety-belt for each of his employees who cleans windows from an outside sill and shall ensure that safety-belts are used in all cases where required by this By-law.

- (4) (a) No person shall use any window cleaning safety device fastened to a wood frame by lag screws.

- (b) Every owner shall replace any lag screws and screwed-in fittings in wood frames with anchors.

5.—(1) A suspended scaffold or swing-stage scaffold shall,

- (a) have a hoisting device equipped with a ratchet and pawl and a positive secondary locking device in good working order;

- (b) not use fibre rope where,

- (i) the distance between pulley blocks exceeds 300 feet,

- (ii) a hoisting drum is used, or

- (iii) any corrosive substance is in the vicinity of the rope;

- (c) have overhead supports firmly secured to the building or structure;

- (d) have steel hangers located not less than 6 inches and not more than 18 inches from the ends of the platform;

- (e) have a platform not less than 2 inches thick and 20 inches wide of wood planking or its equivalent in strength firmly secured to all other structural members;

- (f) have a guard-rail properly braced and fastened to one side and the ends of the scaffold platform; and

- (g) have the space between the top rail of the guard-rail and the toe-board securely screened with wire mesh netting having openings not larger than 2 inches or protected with $\frac{3}{4}$ -inch boards secured to the inside of the posts and not more than 1 inch apart.
- (2) A boatswain's chair shall,
 - (a) be not less than 2 feet long by 10 inches wide by 1 inch thick;
 - (b) be reinforced by cleats securely fastened under the full width of the chair;
 - (c) be supported by a sling of $\frac{3}{8}$ -inch wire rope; and
 - (d) have a suspension rope for the sling securely fastened to a safe point overhead or passed through a pulley block securely fastened to a secure and accessible object.
- (3) No person shall use for window cleaning any device, and notwithstanding the foregoing, any suspended scaffold, swing-stage scaffold, boatswain's chair, safety-belt or life-line, that does not comply with the standards required by this By-law.
- (4) Every employer shall provide and maintain a safety-belt for each of his employees who cleans windows from a suspended scaffold, swing-stage scaffold, or boatswain's chair and shall ensure that safety-belts are used by all his employees who clean windows by such means.
- (5) Every person using a suspended scaffold, swing-stage scaffold, or boatswain's chair for window cleaning shall use a safety-belt that is securely attached to a life-line.
- (6) No employer shall permit a person who,
 - (i) has not been instructed in the handling of such equipment, and
 - (ii) is not competent to handle such equipment to work on a suspended scaffold, swing-stage scaffold, or boatswain's chair.
- 6.—(1) (a) Every employer shall have a competent person inspect and service all suspended scaffolds, swing-stage scaffolds and boatswain's chairs before the same are put into use and thereafter at intervals not exceeding one month, and such equipment shall be maintained in accordance with the standards required by this By-law.
- (b) No person shall use for window cleaning any suspended scaffold, swing-stage scaffold, or boatswain's chair that has not been inspected as required by this section.
- (c) Every person who inspects or services such equipment shall affix to the equipment at the time of each inspection or service an identification tag that states the date of the inspection or service and the name and address of the person who inspected or serviced the equipment, and no person shall use for window cleaning any such equipment that does not carry such identification tag.
- (d) No person other than a person who replaces an identification tag pursuant to paragraph (c), shall remove an identification tag that has been affixed to any such equipment.
- (2) (a) Every owner shall have a competent person inspect all anchors on a building at intervals not exceeding six months.
- (b) The owner shall immediately repair or replace any anchor that has become loose or worn.

(c) The owner shall make and keep a permanent record of each inspection required by paragraph (a) and such record shall,

- (i) sufficiently identify the anchors referred to,
- (ii) state the date such anchors were installed or replaced,
- (iii) state the name and address of the person making the inspection,
- (iv) state the date of the inspection, and
- (v) indicate the condition of the anchors and, if any were repaired, the nature of such repairs.

(3) (a) Every person shall inspect every safety-belt, life-line, cable and rope before using it for window cleaning.

(b) Every employer shall have a competent person inspect at intervals not exceeding one month every safety-belt, life-line, cable and rope that is used for window cleaning.

(c) Whenever safety-belts, life-lines, attachments, ropes or cables show signs of wear or weakness, an employer shall forthwith remove them, or any of them, from service and replace the same with equipment that complies with the standards required by this By-law.

(d) Every employer shall make and keep a permanent record of each inspection required by paragraph (b) and such record shall,

- (i) sufficiently identify the equipment,
- (ii) state the date or dates such equipment was purchased,
- (iii) state the date of each inspection,
- (iv) state the name and address of the person making the inspection, and
- (v) state the condition of the equipment at the time of the inspection.

(4) (a) The Commissioner of Buildings for the City of Toronto may require for his inspection the production of any record kept pursuant to this By-law.

(b) No person shall neglect or refuse to produce such record once notice to do so has been given by the Commissioner.

7. Where an owner is precluded by law from carrying out any obligation imposed upon him by this By-law, such obligation shall devolve upon the person having the legal right so to undertake the same.

8. Every person who contravenes any provision of this By-law is guilty of an offence and on summary conviction is liable to a fine (exclusive of costs) of not more than \$300.00 for each offence.

9. This By-law shall come into force when the same has been passed by the said Council and has been validated by a statute of the Province of Ontario.

An Act respecting the City of Toronto

1st Reading

February 3rd, 1967

2nd Reading

3rd Reading

MR. COWLING

(Private Bill)

BILL Pr24

5TH SESSION, 27TH LEGISLATURE, ONTARIO
15-16 ELIZABETH II, 1967

An Act respecting the City of Toronto

MR. COWLING

(Reprinted as amended by the Committee on Private Bills)

BILL Pr24

1967

An Act respecting the City of Toronto

WHEREAS The Corporation of the City of Toronto, ^{Preamble}
 herein called the Corporation, by its petition has
 prayed for special legislation in respect of the matters herein-
 after set forth; and whereas it is expedient to grant the prayer
 of the petition;

Therefore, Her Majesty, by and with the advice and consent
 of the Legislative Assembly of the Province of Ontario, enacts
 as follows:

1. The Corporation may by by-law authorize agreements <sup>Agreements
for pedes-
trian walks</sup>
 between the Corporation and the owners or lessees of land
 abutting on a highway for the construction, maintenance and
 use of walks for pedestrians over, across or under the highway
 upon such terms and conditions as may be agreed and for
 contributing to the whole or any part of the cost thereof and
 for leasing or licensing the use of untravelled portions of
 such walks and adjoining lands to persons for such con-
 siderations and upon such terms and conditions as may be
 agreed.

2. The Corporation may by by-law designate as historic <sup>Designation
of historic
sites</sup>
 sites such buildings and the lands on which they stand as may
 be deemed by the council of the Corporation to be worthy
 of preservation for either architectural or historical reasons,
 describing such sites by metes and bounds and including
 therein so much of the surrounding lands as the council may
 deem desirable to include in such historic sites, and thereafter
 the Corporation may defer or require the deferring of the
 issuance of any permit for the doing of any work or demolition
 on such described lands for a period of sixty days from the date
 of application for such permit, provided that the total period
 of such deferment shall not exceed sixty days.

3. By-law No. 23034 of the Corporation, being "A By-law <sup>Window
cleaners
by-law
validated</sup>
 To regulate and control the installation, maintenance, inspec-
 tion and use of safety devices and other equipment used by

window cleaners", passed the 9th day of November, 1966, set out as the Schedule hereto, is hereby validated and confirmed and shall extend to the City of Toronto as now constituted, and the said by-law may be amended from time to time to such extent as may be approved by the Ontario Municipal Board.

1960-61,
c. 137, s. 2,
amended

4. Section 2 of *The City of Toronto Act, 1960-61* is amended by adding thereto the following clause:

R.S.O. 1960,
c. 260

(aa) rent or lease from The Municipality of Metropolitan Toronto premises within the Metropolitan Area as defined in *The Municipality of Metropolitan Toronto Act*.

Pensions
for widow
and children
of deceased
firefighter

5. The Corporation may by by-law grant to the widow and children or any of them of the late Richard Louis Gibb, who was at the time of his death on or about the 25th day of September, 1965, in the employ of the Corporation as a firefighter, pensions and benefits in any amounts not exceeding the amount of the pensions and benefits which would have been payable to them pursuant to any by-law or by-laws of the Corporation in force on the 1st day of January, 1966, as if the said Richard Louis Gibb had died on or after the 1st day of January, 1966, subject to such limitations and conditions as may be prescribed in the by-law passed under this section.

1936, c. 84,
s. 6, subs. 1,
re-enacted

6.—(1) Subsection 1 of section 6 of *The City of Toronto Act, 1936*, as amended by subsection 1 of section 3 of *The City of Toronto Act, 1941* and subsection 1 of section 3 of *The City of Toronto Act, 1960*, is repealed and the following substituted therefor:

Interpreta-
tion

(1) In this section,

"Corpora-
tion"

(a) "corporation" means The Corporation of the City of Toronto;

"Dwelling"

(b) "dwelling" includes any building, part of a building, tent, trailer or other covering or structure, the whole or any portion of which has been used, is used or is capable of being used for the purposes of human habitation with the land and premises appurtenant thereto and all outbuildings, fences or erections thereon or therein and every dwelling unit within the dwelling;

"Dwelling
unit"

(c) "dwelling unit" means one or more rooms located within a dwelling and used or intended to be used for human habitation by one or more persons;

- (d) "inspector" means the person or persons from "Inspector" time to time designated by the council of the corporation to enforce the provisions of a by-law passed under this section;
- (e) "order", except in subsections 18 and 19, "Order" means a notice of violation and order to demolish or repair a dwelling pursuant to a by-law passed under this section;
- (f) "owner" includes the person for the time "Owner" being managing or receiving the rent of the land or premises in connection with which the word is used, whether on his own account or as agent or trustee of any other person or who would so receive the rent if such land and premises were let, or a vendor of such land under an agreement for sale who has paid any municipal taxes thereon after the effective date of the agreement, or the person for the time being receiving instalments of the purchase price of the land or premises in connection with which the word is used sold under an agreement for sale whether on his own account or as agent or trustee of any other person or who would so receive the instalments of the purchase price if such land or premises were sold under an agreement for sale.
- (g) "repair" includes taking the necessary action "Repair" to bring any dwelling to the standards;
- (h) "standards" means the standards for the "Standards" maintenance and improvement of the physical condition and for the fitness for occupancy prescribed by a by-law passed under this section.

(2) Subsection 2 of the said section 6 is repealed and the following substituted therefor: 1936, c. 84,
s. 6, subs. 2,
re-enacted

(2) The council of the corporation may pass by-laws, Authority
to pass
by-laws

- (a) for providing standards for dwellings or any class or classes thereof within the municipality or within any defined area or areas and for prohibiting any person from using, permitting to be used, renting or offering to rent any such dwelling that does not conform to the standards;

- (b) for preventing the overcrowding of dwellings or any class or classes thereof within the municipality or within any defined area or areas thereof by limiting the number of persons who may inhabit a dwelling unit and who may use a room for sleeping purposes and for prohibiting any person from using, permitting to be used, renting or offering to rent any dwelling in violation thereof;
- (c) for requiring the owner of any dwelling and to the extent that he is made responsible by the lease or agreement under which he occupies the property the occupant thereof to repair and maintain the dwelling in accordance with the standards or demolish the whole or any part of the dwelling;
- (d) for appointing one or more inspectors; and
- (e) for prohibiting the removal from any premises of any sign, notice or placard placed thereon pursuant to this section or a by-law passed under the authority of this section except by such persons and under such circumstances as may be prescribed therein.

1936, c. 84,
s. 6, subs. 6
(1956,
c. 125, s. 4,
subs 1),
re-enacted

(3) Subsection 6 of the said section 6, as re-enacted by subsection 1 of section 4 of *The City of Toronto Act, 1956*, is repealed and the following substituted therefor:

Power of
corporation
to make
repairs

- (6) If the owner or occupant of a dwelling fails to demolish the dwelling or to repair in accordance with an order as confirmed or modified, the corporation in addition to all other remedies,
 - (a) shall have the right to demolish or repair the dwelling accordingly and to do any work on adjoining property necessitated by such demolition or repair, and for those purposes with its servants and agents from time to time to enter in and upon the dwelling and adjoining property;
 - (b) shall not be liable to compensate such owner, occupant, or any other person by reason of anything done by or on behalf of the corporation under the provisions of this subsection; and

- (c) shall have a lien for any amount expended by or on behalf of the corporation under the authority of this subsection together with interest thereon at a rate to be fixed in the manner provided in subsection 4 upon the dwelling in respect of which such amount was expended, and the certificate of the clerk of the municipality as to such amount shall be final, and such amount shall be deemed to be taxes and added to the collector's roll of taxes for the current year and shall be collected in the same manner as real property taxes.

(4) Subsection 9 of the said section 6, as re-enacted by 1936, c. 84, s. 6, subs. 9 subsection 2 of section 4 of *The City of Toronto Act, 1956*, (1956, c. 125, s. 4, subs. 2) amended is amended by striking out "or 6" in the first line and by striking out "subsections 3 and 6 shall" in the eighth line and inserting in lieu thereof "subsection 3" so that the subsection shall read as follows:

- (9) Before proceeding under subsection 3, the corporation shall notify any mortgagee, vendor under agreement for sale or other encumbrancer appearing on the registered title, by registered letter, specifying wherein the said dwelling unit, building or premises are defective, and if the defects are not remedied within one month from such notification, then the provisions of subsection 3 apply. Notice to mortgagees and others

(5) Subsection 10a of the said section 6, as enacted by 1936, c. 84, s. 6, subs. 10a section 4 of *The City of Toronto Act, 1955*, is repealed and the following substituted therefor: (1955, c. 117, s. 4), re-enacted

- (10a) Where a conviction has been recorded against any person in respect of a dwelling that does not conform to a by-law passed under the authority of this section or to any by-law to provide for the safety of buildings, or where the owner or occupant of a dwelling fails to demolish the dwelling or to repair in accordance with an order as confirmed or modified, the inspector may order that such dwelling be closed and remain closed, and prohibit its use as a dwelling, until the condition has been rectified, provided that notice thereof is given forthwith to the owner or to an adult person in the dwelling, and in addition the inspector may give such notice to occupants and prospective occupants by posting signs or placards on the premises or by such other method as he deems necessary. Power to close dwelling and prohibit its use

1936, c. 84,
s. 6,
subs. 13
(1960,
c. 170, s. 3,
subs. 3),
re-enacted

(6) Subsection 13 of the said section 6, as enacted by subsection 3 of section 3 of *The City of Toronto Act, 1960*, is repealed and the following substituted therefor:

Removal or
demolition
authorized

(13) The council of the corporation may pass by-laws ordering the removal or demolition of any dwelling that has been condemned pursuant to section 99 of *The Public Health Act* as unfit for human habitation or dangerous to health.

R.S.O. 1960,
c. 321

1936, c. 84,
s. 6,
amended

(7) The said section 6, as amended by section 3 of *The City of Toronto Act, 1941*, section 4 of *The City of Toronto Act, 1955*, section 4 of *The City of Toronto Act, 1956* and section 3 of *The City of Toronto Act, 1960*, is further amended by adding thereto the following subsections:

Notice of
violation

(20) If after inspection the inspector is satisfied that in some respect any dwelling violates the standards he may make an order, in which case he shall serve or cause to be served upon the registered owner of the dwelling and all persons shown by the records of the registry office, the land titles office and the sheriff's office to have an interest therein and all occupants known to him over the age of twenty-one years, a copy of the order, and, notwithstanding the foregoing, any by-law passed pursuant to this section may be enforced in accordance with subsection 7, provided that the inspector has sent or caused to be sent a copy of such order to the owner of the dwelling against whom such proceeding is taken by prepaid registered mail to his last-known address;

Contents
of order

(21) The order shall contain,

- (a) a description of the dwelling sufficient to identify and locate it;
- (b) the particulars of the violation and the time in which the demolition or repair to bring the dwelling to the standards are to be made;
- (c) the final date for giving notice of appeal, if any, from the order; and
- (d) the form of notice of appeal which shall be annexed to the order and which shall show the place to which the notice of appeal must be sent.

Substituted
service

(22) If the inspector is unable to locate or serve the owner or any other person on whom he desires to serve an order or where it is ascertained that the owner

or any such person is not within Ontario, the inspector may send or cause to be sent by prepaid registered mail a copy of such order addressed to such owner or other persons at his or their last-known address and he may place a placard containing the terms of the order in a conspicuous place on the property, and the sending of the copy of the order and the placing of the placard shall be deemed to be sufficient service of the order on the owner or other persons.

- (23) When an order has been served in accordance with this section, unless he has given notice of appeal in accordance with the section or, when an order has been sent by prepaid registered mail, the owner and the occupant, if he is liable, shall carry out the repair or demolition within the time and in the manner specified in the order. ^{Duty of owner upon receipt of notice}
- (24) When the owner or occupant who has been served in accordance with this section is not satisfied that the dwelling should be demolished or that the repair ordered is necessary to bring the existing conditions up to the standards, he may give notice of appeal to the housing standards appeal committee by returning the notice of appeal in the form annexed to the order to the clerk of the municipality within fifteen days after service of the order on him as herein provided, and, in the event that no notice of appeal is given, the order shall be deemed to have been confirmed. ^{Appeal}
- (25) Where notice of appeal is given in accordance with this section, after affording a reasonable opportunity to every person on whom an order has been served to make such representations as he sees fit, and after inspecting the dwelling in the presence of any such person if so requested by him in writing, the committee shall have the powers and functions of the inspector and may confirm the order to demolish or repair or may modify or discharge it, provided that nothing herein shall authorize the committee to permit a breach of any by-law passed hereunder. ^{Decision on appeal}
- (26) Any person or corporation affected by a decision of the housing standards appeal committee may appeal the decision to a judge of the county court of the County of York by applying for an appointment within fifteen days after receiving notice of the decision and ^{Appeal to county court judge}

(a) the judge shall, in writing, appoint a day, time and place for the hearing of the appeal and in his appointment may direct that it shall be served upon such persons as he prescribes;

(b) the appointment shall be served at least one month before the day appointed for the hearing of the appeal.

Effect of
decision

- (27) The order, as confirmed or modified, shall be final and binding upon the owner and occupant who shall make the repair or effect the demolition within the time and in the manner specified in the order, as confirmed or modified.

Registration
of order

- (28) When an order has been served in accordance with subsection 20 or 22, the order may be registered in the proper registry office or registered as a caution in the proper land titles office, and, when so registered, all conveyances, mortgages, leases or other dispositions of the land to which the order applies and all interests acquired under any such conveyances, mortgages, leases or dispositions shall be subject to such order as confirmed or modified, and such order shall be an encumbrance on the land.

Discharge
of order

- (29) When the requirements of the order have been satisfied the city clerk shall deliver to any interested person a certificate that the order has been so satisfied, and such certificate may be registered in the same manner as the order and shall operate as a discharge thereof.

Housing
standards
appeal
committee

- (30) When the council of the corporation has passed a by-law under this section it shall constitute and appoint a housing standards appeal committee composed of six persons as the council deems desirable.

Term of
office

- (31) Members of the committee shall hold office for three years and until their successors are appointed, and are eligible for re-appointment, and, when a member ceases to be a member before the expiration of his term, the council shall appoint another person for the unexpired portion of his term.

Chairman

- (32) The committee may elect its own chairman and vice-chairman who shall preside in the absence of the chairman

Division of
committee

- (33) The committee may sit in two divisions, in which case the chairman shall preside in respect of one division and the vice-chairman in respect of the

other, and when so sitting each division has all the powers of the committee hereunder.

- (34) The committee may appoint one or more secretaries. Secretary
- (35) Three members of the committee are a quorum. Quorum
- (36) The committee may adopt its own rules of procedure. Rules of procedure
- (37) The committee, before hearing an appeal, shall give notice of the hearing and after hearing an appeal, of the result thereof, in such manner and to such persons as the committee deems proper. Notice
- (38) The chairman and the vice-chairman of the committee may administer oaths. Oaths
- (39) The members of the committee may be paid such remuneration as the council may provide. Remuneration
- (40) No person shall sell, mortgage or lease or agree to sell, mortgage or lease any dwelling in respect of which an order has been served under this section or any by-law passed hereunder without first having furnished any proposed purchaser, mortgagee or lessee with a true copy of such order. Furnishing copy of order
- (41) Every owner shall have the right to enter and repair any dwelling pursuant to an order, notwithstanding anything contained in or resulting from a lease or agreement pursuant to which possession of the dwelling has been given to another person. Owner's right of entry

7. Section 2 of *The City of Toronto Act (No. 1), 1946* ^{1946, c. 141, s. 2, amended} is amended by striking out "Minister of Municipal Affairs" in the first and second lines and inserting in lieu thereof "Minister of Economics and Development" so that the section, exclusive of the clauses, shall read as follows:

- 2. Subject to the approval of the Minister of Economics and Development, the council of the corporation may pass by-laws for undertaking slum clearance or low-rental housing projects within the municipality, and for such purpose may,—

8. This Act comes into force on the day it receives Royal Assent. Commencement

9. This Act may be cited as *The City of Toronto Act, 1967*. Short title

SCHEDULE

BY-LAW NO. 23034

To regulate and control the installation, maintenance, inspection and use of safety devices and other equipment used by window cleaners.

(Passed November 9, 1966)

The Council of The Corporation of the City of Toronto enacts as follows:

1.—(1) This By-law shall be administered by the Commissioner of Buildings for the City of Toronto.

(2) This By-law may be cited as The Window Cleaning Safety By-law.

2. In this By-law,

(1) "anchor" means an anchor on a building to which a safety-belt may be fastened, such anchor being designed, installed and maintained in accordance with the recommendations of the Code;

(2) "Code" means the Canadian Standards Association Code of Practice for Window Cleaning, Specification No. Z91-1959;

(3) "employer" means a person in the business of cleaning windows who is self-employed or hires others to clean windows;

(4) "grade" means the lowest level of the ground abutting a wall in which windows are being cleaned;

(5) "guard-rail" means a protective barrier that,

(i) consists of a 2-inch by 4-inch wood rail securely supported on 2-inch by 4-inch wood posts spaced at intervals of not more than 8 feet, or of metal rails and posts of equivalent strength and rigidity,

(ii) is not less than 36 inches or more than 42 inches above the suspended or swing-stage scaffold platform,

(iii) has a 1-inch by 4-inch wood rail or a metal rail of equivalent strength and rigidity on the inner side of the posts midway between the top rail and the toe-board,

(iv) has a 5-inch toe-board securely fastened to the lower extremities of the posts, and

(v) is free of splinters and protruding nails and bolts;

(6) "life-line" means a line—

(i) made of the best grade manila or cotton rope not less than $\frac{5}{8}$ of an inch in diameter, and

(ii) securely attached overhead to a structural part of the building;

(7) "person" includes a corporation;

(8) "safety-belt" means a safety-belt that is designed and maintained in accordance with the recommendations of the Code;

- (9) "suspended scaffold" or "swing-stage scaffold" means a scaffold suspended from overhead supports by ropes or cables and equipped with winches or pulley blocks to raise and lower the scaffold;
 - (10) "window cleaning" means the operation of cleaning windows by any means.
3. No person shall clean windows and no employer shall permit any person to clean windows in a manner contrary to this By-law.
- 4.—(1) (a) Every owner shall install and maintain anchors for all windows in a building with sills 10 feet or more above grade except where such sills are less than 10 feet above an adjoining flat roof or balcony that is not less than 3 feet in width.
- (b) Paragraph (a) of subsection (1) of section 4 does not apply where the windows are so constructed that the outside of the windows may be cleaned safely from inside the building or where the windows of the building are cleaned only from a suspended scaffold, swing-stage scaffold, or boatswain's chair, or from a ladder in accordance with this section.
- (2) Where the head of any window is more than 30 feet above grade, no person shall clean windows from a ladder.
- (3) (a) No person shall clean windows from an outside sill which is 10 feet or more above grade unless anchors are provided and such person uses a safety-belt securely fastened to the anchors on the building.
- (b) Every employer shall provide and maintain a safety-belt for each of his employees who cleans windows from an outside sill and shall ensure that safety-belts are used in all cases where required by this By-law.
- (4) (a) No person shall use any window cleaning safety device fastened to a wood frame by lag screws.
- (b) Every owner shall replace any lag screws and screwed-in fittings in wood frames with anchors.
- 5.—(1) A suspended scaffold or swing-stage scaffold shall,
- (a) have a hoisting device equipped with a ratchet and pawl and a positive secondary locking device in good working order;
 - (b) not use fibre rope where,
 - (i) the distance between pulley blocks exceeds 300 feet,
 - (ii) a hoisting drum is used, or
 - (iii) any corrosive substance is in the vicinity of the rope;
 - (c) have overhead supports firmly secured to the building or structure;
 - (d) have steel hangers located not less than 6 inches and not more than 18 inches from the ends of the platform;
 - (e) have a platform not less than 2 inches thick and 20 inches wide of wood planking or its equivalent in strength firmly secured to all other structural members;
 - (f) have a guard-rail properly braced and fastened to one side and the ends of the scaffold platform; and

- (g) have the space between the top rail of the guard-rail and the toe-board securely screened with wire mesh netting having openings not larger than 2 inches or protected with $\frac{3}{4}$ -inch boards secured to the inside of the posts and not more than 1 inch apart.
- (2) A boatswain's chair shall,
 - (a) be not less than 2 feet long by 10 inches wide by 1 inch thick;
 - (b) be reinforced by cleats securely fastened under the full width of the chair;
 - (c) be supported by a sling of $\frac{3}{8}$ -inch wire rope; and
 - (d) have a suspension rope for the sling securely fastened to a safe point overhead or passed through a pulley block securely fastened to a secure and accessible object.
- (3) No person shall use for window cleaning any device, and notwithstanding the foregoing, any suspended scaffold, swing-stage scaffold, boatswain's chair, safety-belt or life-line, that does not comply with the standards required by this By-law.
- (4) Every employer shall provide and maintain a safety-belt for each of his employees who cleans windows from a suspended scaffold, swing-stage scaffold, or boatswain's chair and shall ensure that safety-belts are used by all his employees who clean windows by such means.
- (5) Every person using a suspended scaffold, swing-stage scaffold, or boatswain's chair for window cleaning shall use a safety-belt that is securely attached to a life-line.
- (6) No employer shall permit a person who,
 - (i) has not been instructed in the handling of such equipment, and
 - (ii) is not competent to handle such equipment to work on a suspended scaffold, swing-stage scaffold, or boatswain's chair.
- 6.—(1) (a) Every employer shall have a competent person inspect and service all suspended scaffolds, swing-stage scaffolds and boatswain's chairs before the same are put into use and thereafter at intervals not exceeding one month, and such equipment shall be maintained in accordance with the standards required by this By-law.
- (b) No person shall use for window cleaning any suspended scaffold, swing-stage scaffold, or boatswain's chair that has not been inspected as required by this section.
- (c) Every person who inspects or services such equipment shall affix to the equipment at the time of each inspection or service an identification tag that states the date of the inspection or service and the name and address of the person who inspected or serviced the equipment, and no person shall use for window cleaning any such equipment that does not carry such identification tag.
- (d) No person other than a person who replaces an identification tag pursuant to paragraph (c), shall remove an identification tag that has been affixed to any such equipment.
- (2) (a) Every owner shall have a competent person inspect all anchors on a building at intervals not exceeding six months.
- (b) The owner shall immediately repair or replace any anchor that has become loose or worn.

- (c) The owner shall make and keep a permanent record of each inspection required by paragraph (a) and such record shall,
 - (i) sufficiently identify the anchors referred to,
 - (ii) state the date such anchors were installed or replaced,
 - (iii) state the name and address of the person making the inspection,
 - (iv) state the date of the inspection, and
 - (v) indicate the condition of the anchors and, if any were repaired, the nature of such repairs.
 - (3) (a) Every person shall inspect every safety-belt, life-line, cable and rope before using it for window cleaning.
 - (b) Every employer shall have a competent person inspect at intervals not exceeding one month every safety-belt, life-line, cable and rope that is used for window cleaning.
 - (c) Whenever safety-belts, life-lines, attachments, ropes or cables show signs of wear or weakness, an employer shall forthwith remove them, or any of them, from service and replace the same with equipment that complies with the standards required by this By-law.
 - (d) Every employer shall make and keep a permanent record of each inspection required by paragraph (b) and such record shall,
 - (i) sufficiently identify the equipment,
 - (ii) state the date or dates such equipment was purchased,
 - (iii) state the date of each inspection,
 - (iv) state the name and address of the person making the inspection, and
 - (v) state the condition of the equipment at the time of the inspection.
 - (4) (a) The Commissioner of Buildings for the City of Toronto may require for his inspection the production of any record kept pursuant to this By-law.
 - (b) No person shall neglect or refuse to produce such record once notice to do so has been given by the Commissioner.
7. Where an owner is precluded by law from carrying out any obligation imposed upon him by this By-law, such obligation shall devolve upon the person having the legal right so to undertake the same.
8. Every person who contravenes any provision of this By-law is guilty of an offence and on summary conviction is liable to a fine (exclusive of costs) of not more than \$300.00 for each offence.
9. This By-law shall come into force when the same has been passed by the said Council and has been validated by a statute of the Province of Ontario.

An Act respecting the City of Toronto

1st Reading

February 3rd, 1967

2nd Reading

3rd Reading

MR. COWLING

(Reprinted as amended by the
Committee on Private Bills)

BILL Pr24

5TH SESSION, 27TH LEGISLATURE, ONTARIO
15-16 ELIZABETH II, 1967

An Act respecting the City of Toronto

MR. COWLING

(Reprinted as amended by the Committee of the Whole House)

BILL Pr24

1967

An Act respecting the City of Toronto

WHEREAS The Corporation of the City of Toronto, ^{Preamble}
 herein called the Corporation, by its petition has
 prayed for special legislation in respect of the matters herein-
 after set forth; and whereas it is expedient to grant the prayer
 of the petition;

Therefore, Her Majesty, by and with the advice and consent
 of the Legislative Assembly of the Province of Ontario, enacts
 as follows:

1. The Corporation may by by-law authorize agreements <sup>Agreements
for pedes-
trian walks</sup>
 between the Corporation and the owners or lessees of land
 abutting on a highway for the construction, maintenance and
 use of walks for pedestrians over, across or under the highway
 upon such terms and conditions as may be agreed and for
 contributing to the whole or any part of the cost thereof and
 for leasing or licensing the use of untravelled portions of
 such walks and adjoining lands to persons for such con-
 siderations and upon such terms and conditions as may be
 agreed.

2. The Corporation may by by-law designate as historic <sup>Designation
of historic
sites</sup>
 sites such buildings and the lands on which they stand as may
 be deemed by the council of the Corporation to be worthy
 of preservation for either architectural or historical reasons,
 describing such sites by metes and bounds and including
 therein so much of the surrounding lands as the council may
 deem desirable to include in such historic sites, and thereafter
 the Corporation may defer or require the deferring of the
 issuance of any permit for the doing of any work or demolition
 on such described lands for a period of sixty days from the date
 of application for such permit, provided that the total period
 of such deferment shall not exceed sixty days.

3. By-law No. 23034 of the Corporation, being "A By-law <sup>Window
cleaners
by-law
validated</sup>
 To regulate and control the installation, maintenance, inspec-
 tion and use of safety devices and other equipment used by

window cleaners", passed the 9th day of November, 1966, set out as the Schedule hereto, is hereby validated and confirmed and shall extend to the City of Toronto as now constituted, and the said by-law may be amended from time to time to such extent as may be approved by the Ontario Municipal Board.

1960-61,
c. 137, s. 2,
amended

4. Section 2 of *The City of Toronto Act, 1960-61* is amended by adding thereto the following clause:

(aa) rent or lease from The Municipality of Metropolitan Toronto premises within the Metropolitan Area as defined in *The Municipality of Metropolitan Toronto Act*.

R.S.O. 1960,
c. 260

Pensions
for widow
and children
of deceased
firefighter

5. The Corporation may by by-law grant to the widow and children or any of them of the late Richard Louis Gibb, who was at the time of his death on or about the 25th day of September, 1965, in the employ of the Corporation as a firefighter, pensions and benefits in any amounts not exceeding the amount of the pensions and benefits which would have been payable to them pursuant to any by-law or by-laws of the Corporation in force on the 1st day of January, 1966, as if the said Richard Louis Gibb had died on or after the 1st day of January, 1966, subject to such limitations and conditions as may be prescribed in the by-law passed under this section.

1936, c. 84,
s. 6, subs. 1,
re-enacted

6.—(1) Subsection 1 of section 6 of *The City of Toronto Act, 1936*, as amended by subsection 1 of section 3 of *The City of Toronto Act, 1941* and subsection 1 of section 3 of *The City of Toronto Act, 1960*, is repealed and the following substituted therefor:

Interpreta-
tion

(1) In this section,

"Corpora-
tion"

(a) "corporation" means The Corporation of the City of Toronto;

"Dwelling"

(b) "dwelling" includes any building, part of a building, tent, trailer or other covering or structure, the whole or any portion of which has been used, is used or is capable of being used for the purposes of human habitation with the land and premises appurtenant thereto and all outbuildings, fences or erections thereon or therein and every dwelling unit within the dwelling;

"Dwelling
unit"

(c) "dwelling unit" means one or more rooms located within a dwelling and used or intended to be used for human habitation by one or more persons;

- (d) "inspector" means the person or persons from "Inspector" time to time designated by the council of the corporation to enforce the provisions of a by-law passed under this section;
- (e) "order", except in subsections 18 and 19, "Order" means a notice of violation and order to demolish or repair a dwelling pursuant to a by-law passed under this section;
- (f) "owner" includes the person for the time "Owner" being managing or receiving the rent of the land or premises in connection with which the word is used, whether on his own account or as agent or trustee of any other person or who would so receive the rent if such land and premises were let, or a vendor of such land under an agreement for sale who has paid any municipal taxes thereon after the effective date of the agreement, or the person for the time being receiving instalments of the purchase price of the land or premises in connection with which the word is used sold under an agreement for sale whether on his own account or as agent or trustee of any other person or who would so receive the instalments of the purchase price if such land or premises were sold under an agreement for sale.
- (g) "repair" includes taking the necessary action "Repair" to bring any dwelling to the standards;
- (h) "standards" means the standards for the "Standards" maintenance and improvement of the physical condition and for the fitness for occupancy prescribed by a by-law passed under this section.

(2) Subsection 2 of the said section 6 is repealed and the following substituted therefor: 1936, c. 84,
s. 6, subs. 2,
re-enacted

(2) The council of the corporation may pass by-laws, Authority
to pass
by-laws

- (a) for providing standards for dwellings or any class or classes thereof within the municipality or within any defined area or areas and for prohibiting any person from using, permitting to be used, renting or offering to rent any such dwelling that does not conform to the standards;

- (b) for preventing the overcrowding of dwellings or any class or classes thereof within the municipality or within any defined area or areas thereof by limiting the number of persons who may inhabit a dwelling unit and who may use a room for sleeping purposes and for prohibiting any person from using, permitting to be used, renting or offering to rent any dwelling in violation thereof;
- (c) for requiring the owner of any dwelling and to the extent that he is made responsible by the lease or agreement under which he occupies the property the occupant thereof to repair and maintain the dwelling in accordance with the standards or demolish the whole or any part of the dwelling;
- (d) for appointing one or more inspectors; and
- (e) for prohibiting the removal from any premises of any sign, notice or placard placed thereon pursuant to this section or a by-law passed under the authority of this section except by such persons and under such circumstances as may be prescribed therein.

1936, c. 84,
s. 6, subs. 6
(1956,
c. 125, s. 4,
subs 1),
re-enacted

(3) Subsection 6 of the said section 6, as re-enacted by subsection 1 of section 4 of *The City of Toronto Act, 1956*, is repealed and the following substituted therefor:

Power of
corporation
to make
repairs

- (6) If the owner or occupant of a dwelling fails to demolish the dwelling or to repair in accordance with an order as confirmed or modified, the corporation in addition to all other remedies,

- (a) shall have the right to demolish or repair the dwelling accordingly and to do any work on adjoining property necessitated by such demolition or repair, and for those purposes with its servants and agents from time to time to enter in and upon the dwelling and adjoining property;
- (b) shall not be liable to compensate such owner, occupant, or any other person by reason of anything done by or on behalf of the corporation under the provisions of this subsection; and

- (c) shall have a lien for any amount expended by or on behalf of the corporation under the authority of this subsection together with interest thereon at a rate to be fixed in the manner provided in subsection 4 upon the dwelling in respect of which such amount was expended, and the certificate of the clerk of the municipality as to such amount shall be final, and such amount shall be deemed to be taxes and added to the collector's roll of taxes for the current year and shall be collected in the same manner as real property taxes.

(4) Subsection 9 of the said section 6, as re-enacted by ^{1936, c. 84, s. 6, subs. 9} subsection 2 of section 4 of *The City of Toronto Act, 1956*, ^(1956, c. 125, s. 4, subs. 2) is amended by striking out "or 6" in the first line and by striking out "subsections 3 and 6 shall" in the eighth line and inserting in lieu thereof "subsection 3" so that the subsection shall read as follows:

- (9) Before proceeding under subsection 3, the corporation shall notify any mortgagee, vendor under agreement for sale or other encumbrancer appearing on the registered title, by registered letter, specifying wherein the said dwelling unit, building or premises are defective, and if the defects are not remedied within one month from such notification, then the provisions of subsection 3 apply. ^{Notice to mortgagees and others}

(5) Subsection 10a of the said section 6, as enacted by ^{1936, c. 84, s. 6, subs. 10a} section 4 of *The City of Toronto Act, 1955*, is repealed and the following substituted therefor: ^{(1956, c. 117, s. 4), re-enacted}

- (10a) Where a conviction has been recorded against any person in respect of a dwelling that does not conform to a by-law passed under the authority of this section or to any by-law to provide for the safety of buildings, or where the owner or occupant of a dwelling fails to demolish the dwelling or to repair in accordance with an order as confirmed or modified, the inspector may order that such dwelling be closed and remain closed, and prohibit its use as a dwelling, until the condition has been rectified, provided that notice thereof is given forthwith to the owner or to an adult person in the dwelling, and in addition the inspector may give such notice to occupants and prospective occupants by posting signs or placards on the premises or by such other method as he deems necessary. ^{Power to close dwelling and prohibit its use}

1936, c. 84,
s. 6,
subs. 13
(1960,
c. 170, s. 3,
subs. 3),
re-enacted

(6) Subsection 13 of the said section 6, as enacted by subsection 3 of section 3 of *The City of Toronto Act, 1960*, is repealed and the following substituted therefor:

Removal or
demolition
authorized

(13) The council of the corporation may pass by-laws ordering the removal or demolition of any dwelling that has been condemned pursuant to section 99 of *The Public Health Act* as unfit for human habitation or dangerous to health.

R.S.O. 1960,
c. 321

1936, c. 84,
s. 6,
amended

(7) The said section 6, as amended by section 3 of *The City of Toronto Act, 1941*, section 4 of *The City of Toronto Act, 1955*, section 4 of *The City of Toronto Act, 1956* and section 3 of *The City of Toronto Act, 1960*, is further amended by adding thereto the following subsections:

Notice of
violation

(20) If after inspection the inspector is satisfied that in some respect any dwelling violates the standards he may make an order, in which case he shall serve or cause to be served upon the registered owner of the dwelling and all persons shown by the records of the registry office, the land titles office and the sheriff's office to have an interest therein and all occupants known to him over the age of twenty-one years, a copy of the order, and, notwithstanding the foregoing, any by-law passed pursuant to this section may be enforced in accordance with subsection 7, provided that the inspector has sent or caused to be sent a copy of such order to the owner of the dwelling against whom such proceeding is taken by prepaid registered mail to his last-known address;

Contents
of order

(21) The order shall contain,

- (a) a description of the dwelling sufficient to identify and locate it;
- (b) the particulars of the violation and the time in which the demolition or repair to bring the dwelling to the standards are to be made;
- (c) the final date for giving notice of appeal, if any, from the order; and
- (d) the form of notice of appeal which shall be annexed to the order and which shall show the place to which the notice of appeal must be sent.

Substituted
service

(22) If the inspector is unable to locate or serve the owner or any other person on whom he desires to serve an order or where it is ascertained that the owner

or any such person is not within Ontario, the inspector may send or cause to be sent by prepaid registered mail a copy of such order addressed to such owner or other persons at his or their last-known address and he may place a placard containing the terms of the order in a conspicuous place on the property, and the sending of the copy of the order and the placing of the placard shall be deemed to be sufficient service of the order on the owner or other persons.

- (23) When an order has been served in accordance with this section, unless he has given notice of appeal in accordance with the section or, when an order has been sent by prepaid registered mail, the owner and the occupant, if he is liable, shall carry out the repair or demolition within the time and in the manner specified in the order. ^{Duty of owner upon receipt of notice}
- (24) When the owner or occupant who has been served in accordance with this section is not satisfied that the dwelling should be demolished or that the repair ordered is necessary to bring the existing conditions up to the standards, he may give notice of appeal to the housing standards appeal committee by returning the notice of appeal in the form annexed to the order to the clerk of the municipality within fifteen days after service of the order on him as herein provided, and, in the event that no notice of appeal is given, the order shall be deemed to have been confirmed. ^{Appeal}
- (25) Where notice of appeal is given in accordance with this section, after affording a reasonable opportunity to every person on whom an order has been served to make such representations as he sees fit, and after inspecting the dwelling in the presence of any such person if so requested by him in writing, the committee shall have the powers and functions of the inspector and may confirm the order to demolish or repair or may modify or discharge it, provided that nothing herein shall authorize the committee to permit a breach of any by-law passed hereunder. ^{Decision on appeal}
- (26) Any person or corporation affected by a decision of the housing standards appeal committee may appeal the decision to a judge of the county court of the County of York by so notifying the clerk of the corporation in writing and by applying for an appointment within fifteen days after notice of the decision has been given, and, ^{Appeal to county court judge}

- (a) the judge shall, in writing, appoint a day, time and place for the hearing of the appeal and in his appointment may direct that it shall be served upon such persons and in such manner as he prescribes;
- (b) the appointment shall be served in the manner prescribed at least one month before the day appointed for the hearing of the appeal; and
- (c) the judge on such appeal has the same powers and functions as the housing standards appeal committee.

Effect of
decision

- (27) The order as deemed to have been confirmed pursuant to subsection 24 or as confirmed or modified by the housing standards appeal committee, or, in the event of an appeal to a judge pursuant to subsection 26, as confirmed or modified by the judge, shall be final and binding upon the owner and occupant who shall make the repair or effect the demolition within the time and in the manner specified in the order, as so confirmed or modified.

Registration
of order

- (28) When an order has been served in accordance with subsection 20 or 22, the order may be registered in the proper registry office or registered as a caution in the proper land titles office, and, when so registered, all conveyances, mortgages, leases or other dispositions of the land to which the order applies and all interests acquired under any such conveyances, mortgages, leases or dispositions shall be subject to such order as confirmed or modified, and such order shall be an encumbrance on the land.

Discharge
of order

- (29) When the requirements of the order have been satisfied the city clerk shall deliver to any interested person a certificate that the order has been so satisfied, and such certificate may be registered in the same manner as the order and shall operate as a discharge thereof.

Housing
standards
appeal
committee

- (30) When the council of the corporation has passed a by-law under this section it shall constitute and appoint a housing standards appeal committee composed of six persons as the council deems desirable.

Term of
office

- (31) Members of the committee shall hold office for three years and until their successors are appointed, and are eligible for re-appointment, and, when a member

ceases to be a member before the expiration of his term, the council shall appoint another person for the unexpired portion of his term.

- (32) The committee may elect its own chairman and vice-chairman who shall preside in the absence of the chairman. Chairman
- (33) The committee may sit in two divisions, in which case the chairman shall preside in respect of one division and the vice-chairman in respect of the other, and when so sitting each division has all the powers of the committee hereunder. Division of committee
- (34) The committee may appoint one or more secretaries. Secretary
- (35) Three members of the committee are a quorum. Quorum
- (36) The committee may adopt its own rules of procedure. Rules of procedure
- (37) The committee, before hearing an appeal, shall give notice of the hearing and after hearing an appeal, of the result thereof, in such manner and to such persons as the committee deems proper. Notice
- (38) The chairman and the vice-chairman of the committee may administer oaths. Oaths
- (39) The members of the committee may be paid such remuneration as the council may provide. Remuneration
- (40) No person shall sell, mortgage or lease or agree to sell, mortgage or lease any dwelling in respect of which an order has been served under this section or any by-law passed hereunder without first having furnished any proposed purchaser, mortgagee or lessee with a true copy of such order. Furnishing copy of order
- (41) Every owner shall have the right to enter and repair any dwelling pursuant to an order, notwithstanding anything contained in or resulting from a lease or agreement pursuant to which possession of the dwelling has been given to another person. Owner's right of entry

7. Section 2 of *The City of Toronto Act (No. 1), 1946* ^{1946, c. 141, s. 2,} is amended by striking out "Minister of Municipal Affairs" ^{amended} in the first and second lines and inserting in lieu thereof "Minister of Economics and Development" so that the section, exclusive of the clauses, shall read as follows:

2. Subject to the approval of the Minister of Economics and Development, the council of the corporation may pass by-laws for undertaking slum clearance or low-rental housing projects within the municipality, and for such purpose may,—

**Commence-
ment**

8. This Act comes into force on the day it receives Royal Assent.

Short title

9. This Act may be cited as *The City of Toronto Act, 1967*.

SCHEDULE

BY-LAW NO. 23034

To regulate and control the installation, maintenance, inspection and use of safety devices and other equipment used by window cleaners.

(Passed November 9, 1966)

The Council of The Corporation of the City of Toronto enacts as follows:

1.—(1) This By-law shall be administered by the Commissioner of Buildings for the City of Toronto.

(2) This By-law may be cited as The Window Cleaning Safety By-law.

2. In this By-law,

(1) "anchor" means an anchor on a building to which a safety-belt may be fastened, such anchor being designed, installed and maintained in accordance with the recommendations of the Code;

(2) "Code" means the Canadian Standards Association Code of Practice for Window Cleaning, Specification No. Z91-1959;

(3) "employer" means a person in the business of cleaning windows who is self-employed or hires others to clean windows;

(4) "grade" means the lowest level of the ground abutting a wall in which windows are being cleaned;

(5) "guard-rail" means a protective barrier that,

(i) consists of a 2-inch by 4-inch wood rail securely supported on 2-inch by 4-inch wood posts spaced at intervals of not more than 8 feet, or of metal rails and posts of equivalent strength and rigidity,

(ii) is not less than 36 inches or more than 42 inches above the suspended or swing-stage scaffold platform,

(iii) has a 1-inch by 4-inch wood rail or a metal rail of equivalent strength and rigidity on the inner side of the posts midway between the top rail and the toe-board,

(iv) has a 5-inch toe-board securely fastened to the lower extremities of the posts, and

(v) is free of splinters and protruding nails and bolts;

(6) "life-line" means a line—

(i) made of the best grade manila or cotton rope not less than $\frac{5}{8}$ of an inch in diameter, and

(ii) securely attached overhead to a structural part of the building;

(7) "person" includes a corporation;

(8) "safety-belt" means a safety-belt that is designed and maintained in accordance with the recommendations of the Code;

- (9) "suspended scaffold" or "swing-stage scaffold" means a scaffold suspended from overhead supports by ropes or cables and equipped with winches or pulley blocks to raise and lower the scaffold;
- (10) "window cleaning" means the operation of cleaning windows by any means.

3. No person shall clean windows and no employer shall permit any person to clean windows in a manner contrary to this By-law.

4.—(1) (a) Every owner shall install and maintain anchors for all windows in a building with sills 10 feet or more above grade except where such sills are less than 10 feet above an adjoining flat roof or balcony that is not less than 3 feet in width.

(b) Paragraph (a) of subsection (1) of section 4 does not apply where the windows are so constructed that the outside of the windows may be cleaned safely from inside the building or where the windows of the building are cleaned only from a suspended scaffold, swing-stage scaffold, or boatswain's chair, or from a ladder in accordance with this section.

(2) Where the head of any window is more than 30 feet above grade, no person shall clean windows from a ladder.

(3) (a) No person shall clean windows from an outside sill which is 10 feet or more above grade unless anchors are provided and such person uses a safety-belt securely fastened to the anchors on the building.

(b) Every employer shall provide and maintain a safety-belt for each of his employees who cleans windows from an outside sill and shall ensure that safety-belts are used in all cases where required by this By-law.

(4) (a) No person shall use any window cleaning safety device fastened to a wood frame by lag screws.

(b) Every owner shall replace any lag screws and screwed-in fittings in wood frames with anchors.

5.—(1) A suspended scaffold or swing-stage scaffold shall,

(a) have a hoisting device equipped with a ratchet and pawl and a positive secondary locking device in good working order;

(b) not use fibre rope where,

(i) the distance between pulley blocks exceeds 300 feet,

(ii) a hoisting drum is used, or

(iii) any corrosive substance is in the vicinity of the rope;

(c) have overhead supports firmly secured to the building or structure;

(d) have steel hangers located not less than 6 inches and not more than 18 inches from the ends of the platform;

(e) have a platform not less than 2 inches thick and 20 inches wide of wood planking or its equivalent in strength firmly secured to all other structural members;

(f) have a guard-rail properly braced and fastened to one side and the ends of the scaffold platform; and

- (g) have the space between the top rail of the guard-rail and the toe-board securely screened with wire mesh netting having openings not larger than 2 inches or protected with $\frac{3}{4}$ -inch boards secured to the inside of the posts and not more than 1 inch apart.
- (2) A boatswain's chair shall,
 - (a) be not less than 2 feet long by 10 inches wide by 1 inch thick;
 - (b) be reinforced by cleats securely fastened under the full width of the chair;
 - (c) be supported by a sling of $\frac{3}{8}$ -inch wire rope; and
 - (d) have a suspension rope for the sling securely fastened to a safe point overhead or passed through a pulley block securely fastened to a secure and accessible object.
- (3) No person shall use for window cleaning any device, and notwithstanding the foregoing, any suspended scaffold, swing-stage scaffold, boatswain's chair, safety-belt or life-line, that does not comply with the standards required by this By-law.
- (4) Every employer shall provide and maintain a safety-belt for each of his employees who cleans windows from a suspended scaffold, swing-stage scaffold, or boatswain's chair and shall ensure that safety-belts are used by all his employees who clean windows by such means.
- (5) Every person using a suspended scaffold, swing-stage scaffold, or boatswain's chair for window cleaning shall use a safety-belt that is securely attached to a life-line.
- (6) No employer shall permit a person who,
 - (i) has not been instructed in the handling of such equipment, and
 - (ii) is not competent to handle such equipment to work on a suspended scaffold, swing-stage scaffold, or boatswain's chair.
- 6.—(1) (a) Every employer shall have a competent person inspect and service all suspended scaffolds, swing-stage scaffolds and boatswain's chairs before the same are put into use and thereafter at intervals not exceeding one month, and such equipment shall be maintained in accordance with the standards required by this By-law.
- (b) No person shall use for window cleaning any suspended scaffold, swing-stage scaffold, or boatswain's chair that has not been inspected as required by this section.
- (c) Every person who inspects or services such equipment shall affix to the equipment at the time of each inspection or service an identification tag that states the date of the inspection or service and the name and address of the person who inspected or serviced the equipment, and no person shall use for window cleaning any such equipment that does not carry such identification tag.
- (d) No person other than a person who replaces an identification tag pursuant to paragraph (c), shall remove an identification tag that has been affixed to any such equipment.
- (2) (a) Every owner shall have a competent person inspect all anchors on a building at intervals not exceeding six months.
- (b) The owner shall immediately repair or replace any anchor that has become loose or worn.

- (c) The owner shall make and keep a permanent record of each inspection required by paragraph (a) and such record shall,
 - (i) sufficiently identify the anchors referred to,
 - (ii) state the date such anchors were installed or replaced,
 - (iii) state the name and address of the person making the inspection,
 - (iv) state the date of the inspection, and
 - (v) indicate the condition of the anchors and, if any were repaired, the nature of such repairs.

(3) (a) Every person shall inspect every safety-belt, life-line, cable and rope before using it for window cleaning.

(b) Every employer shall have a competent person inspect at intervals not exceeding one month every safety-belt, life-line, cable and rope that is used for window cleaning.

(c) Whenever safety-belts, life-lines, attachments, ropes or cables show signs of wear or weakness, an employer shall forthwith remove them, or any of them, from service and replace the same with equipment that complies with the standards required by this By-law.

(d) Every employer shall make and keep a permanent record of each inspection required by paragraph (b) and such record shall,

- (i) sufficiently identify the equipment,
- (ii) state the date or dates such equipment was purchased,
- (iii) state the date of each inspection,
- (iv) state the name and address of the person making the inspection, and
- (v) state the condition of the equipment at the time of the inspection.

(4) (a) The Commissioner of Buildings for the City of Toronto may require for his inspection the production of any record kept pursuant to this By-law.

(b) No person shall neglect or refuse to produce such record once notice to do so has been given by the Commissioner.

7. Where an owner is precluded by law from carrying out any obligation imposed upon him by this By-law, such obligation shall devolve upon the person having the legal right so to undertake the same.

8. Every person who contravenes any provision of this By-law is guilty of an offence and on summary conviction is liable to a fine (exclusive of costs) of not more than \$300.00 for each offence.

9. This By-law shall come into force when the same has been passed by the said Council and has been validated by a statute of the Province of Ontario.

An Act respecting the City of Toronto

1st Reading

February 3rd, 1967

2nd Reading

April 17th, 1967

3rd Reading

MR. COWLING

*(Reprinted as amended by the
Committee of the Whole House)*

BILL Pr24

5TH SESSION, 27TH LEGISLATURE, ONTARIO
15-16 ELIZABETH II, 1967

An Act respecting the City of Toronto

MR. COWLING

BILL Pr24

1967

An Act respecting the City of Toronto

WHEREAS The Corporation of the City of Toronto, ^{Preamble}
 herein called the Corporation, by its petition has
 prayed for special legislation in respect of the matters herein-
 after set forth; and whereas it is expedient to grant the prayer
 of the petition;

Therefore, Her Majesty, by and with the advice and consent
 of the Legislative Assembly of the Province of Ontario, enacts
 as follows:

1. The Corporation may by by-law authorize agreements <sup>Agreements
for pedestrian walks</sup>
 between the Corporation and the owners or lessees of land
 abutting on a highway for the construction, maintenance and
 use of walks for pedestrians over, across or under the highway
 upon such terms and conditions as may be agreed and for
 contributing to the whole or any part of the cost thereof and
 for leasing or licensing the use of untravelled portions of
 such walks and adjoining lands to persons for such con-
 siderations and upon such terms and conditions as may be
 agreed.

2. The Corporation may by by-law designate as historic <sup>Designation
of historic
sites</sup>
 sites such buildings and the lands on which they stand as may
 be deemed by the council of the Corporation to be worthy
 of preservation for either architectural or historical reasons,
 describing such sites by metes and bounds and including
 therein so much of the surrounding lands as the council may
 deem desirable to include in such historic sites, and thereafter
 the Corporation may defer or require the deferring of the
 issuance of any permit for the doing of any work or demolition
 on such described lands for a period of sixty days from the date
 of application for such permit, provided that the total period
 of such deferment shall not exceed sixty days.

3. By-law No. 23034 of the Corporation, being "A By-law <sup>Window
cleaners
by-law
validated</sup>
 To regulate and control the installation, maintenance, inspec-
 tion and use of safety devices and other equipment used by

window cleaners", passed the 9th day of November, 1966, set out as the Schedule hereto, is hereby validated and confirmed and shall extend to the City of Toronto as now constituted, and the said by-law may be amended from time to time to such extent as may be approved by the Ontario Municipal Board.

1960-61,
c. 137, s. 2,
amended

4. Section 2 of *The City of Toronto Act, 1960-61* is amended by adding thereto the following clause:

(aa) rent or lease from The Municipality of Metropolitan Toronto premises within the Metropolitan Area as defined in *The Municipality of Metropolitan Toronto Act*.

R.S.O. 1960,
c. 260

Pensions
for widow
and children
of deceased
firefighter

5. The Corporation may by by-law grant to the widow and children or any of them of the late Richard Louis Gibb, who was at the time of his death on or about the 25th day of September, 1965, in the employ of the Corporation as a fire-fighter, pensions and benefits in any amounts not exceeding the amount of the pensions and benefits which would have been payable to them pursuant to any by-law or by-laws of the Corporation in force on the 1st day of January, 1966, as if the said Richard Louis Gibb had died on or after the 1st day of January, 1966, subject to such limitations and conditions as may be prescribed in the by-law passed under this section.

1936, c. 84,
s. 6, subs. 1,
re-enacted

6.—(1) Subsection 1 of section 6 of *The City of Toronto Act, 1936*, as amended by subsection 1 of section 3 of *The City of Toronto Act, 1941* and subsection 1 of section 3 of *The City of Toronto Act, 1960*, is repealed and the following substituted therefor:

Interpreta-
tion

(1) In this section,

"Corpora-
tion"

(a) "corporation" means The Corporation of the City of Toronto;

"Dwelling"

(b) "dwelling" includes any building, part of a building, tent, trailer or other covering or structure, the whole or any portion of which has been used, is used or is capable of being used for the purposes of human habitation with the land and premises appurtenant thereto and all outbuildings, fences or erections thereon or therein and every dwelling unit within the dwelling;

"Dwelling
unit"

(c) "dwelling unit" means one or more rooms located within a dwelling and used or intended to be used for human habitation by one or more persons;

- (d) "inspector" means the person or persons from "Inspector" time to time designated by the council of the corporation to enforce the provisions of a by-law passed under this section;
- (e) "order", except in subsections 18 and 19, "Order" means a notice of violation and order to demolish or repair a dwelling pursuant to a by-law passed under this section;
- (f) "owner" includes the person for the time "Owner" being managing or receiving the rent of the land or premises in connection with which the word is used, whether on his own account or as agent or trustee of any other person or who would so receive the rent if such land and premises were let, or a vendor of such land under an agreement for sale who has paid any municipal taxes thereon after the effective date of the agreement, or the person for the time being receiving instalments of the purchase price of the land or premises in connection with which the word is used sold under an agreement for sale whether on his own account or as agent or trustee of any other person or who would so receive the instalments of the purchase price if such land or premises were sold under an agreement for sale.
- (g) "repair" includes taking the necessary action "Repair" to bring any dwelling to the standards;
- (h) "standards" means the standards for the "Standards" maintenance and improvement of the physical condition and for the fitness for occupancy prescribed by a by-law passed under this section.

(2) Subsection 2 of the said section 6 is repealed and the following substituted therefor: 1936, c. 84,
s. 6, subs. 2,
re-enacted

(2) The council of the corporation may pass by-laws, Authority
to pass
by-laws

- (a) for providing standards for dwellings or any class or classes thereof within the municipality or within any defined area or areas and for prohibiting any person from using, permitting to be used, renting or offering to rent any such dwelling that does not conform to the standards;

- (b) for preventing the overcrowding of dwellings or any class or classes thereof within the municipality or within any defined area or areas thereof by limiting the number of persons who may inhabit a dwelling unit and who may use a room for sleeping purposes and for prohibiting any person from using, permitting to be used, renting or offering to rent any dwelling in violation thereof;
- (c) for requiring the owner of any dwelling and to the extent that he is made responsible by the lease or agreement under which he occupies the property the occupant thereof to repair and maintain the dwelling in accordance with the standards or demolish the whole or any part of the dwelling;
- (d) for appointing one or more inspectors; and
- (e) for prohibiting the removal from any premises of any sign, notice or placard placed thereon pursuant to this section or a by-law passed under the authority of this section except by such persons and under such circumstances as may be prescribed therein.

1936, c. 84,
s. 6, subs. 6
(1956,
c. 125, s. 4,
subs 1),
re-enacted

(3) Subsection 6 of the said section 6, as re-enacted by subsection 1 of section 4 of *The City of Toronto Act, 1956*, is repealed and the following substituted therefor:

Power of
corporation
to make
repairs

- (6) If the owner or occupant of a dwelling fails to demolish the dwelling or to repair in accordance with an order as confirmed or modified, the corporation in addition to all other remedies,
 - (a) shall have the right to demolish or repair the dwelling accordingly and to do any work on adjoining property necessitated by such demolition or repair, and for those purposes with its servants and agents from time to time to enter in and upon the dwelling and adjoining property;
 - (b) shall not be liable to compensate such owner, occupant, or any other person by reason of anything done by or on behalf of the corporation under the provisions of this subsection; and

- (c) shall have a lien for any amount expended by or on behalf of the corporation under the authority of this subsection together with interest thereon at a rate to be fixed in the manner provided in subsection 4 upon the dwelling in respect of which such amount was expended, and the certificate of the clerk of the municipality as to such amount shall be final, and such amount shall be deemed to be taxes and added to the collector's roll of taxes for the current year and shall be collected in the same manner as real property taxes.

(4) Subsection 9 of the said section 6, as re-enacted by 1936, c. 84, s. 6, subs. 9 subsection 2 of section 4 of *The City of Toronto Act, 1956*, (1956, c. 125, s. 4, subs. 2) amended is amended by striking out "or 6" in the first line and by striking out "subsections 3 and 6 shall" in the eighth line and inserting in lieu thereof "subsection 3" so that the subsection shall read as follows:

- (9) Before proceeding under subsection 3, the corporation shall notify any mortgagee, vendor under agreement for sale or other encumbrancer appearing on the registered title, by registered letter, specifying wherein the said dwelling unit, building or premises are defective, and if the defects are not remedied within one month from such notification, then the provisions of subsection 3 apply. Notice to mortgagees and others

(5) Subsection 10a of the said section 6, as enacted by 1936, c. 84, s. 6, subs. 10a section 4 of *The City of Toronto Act, 1955*, is repealed and the following substituted therefor: (1955, c. 117, s. 4), re-enacted

- (10a) Where a conviction has been recorded against any person in respect of a dwelling that does not conform to a by-law passed under the authority of this section or to any by-law to provide for the safety of buildings, or where the owner or occupant of a dwelling fails to demolish the dwelling or to repair in accordance with an order as confirmed or modified, the inspector may order that such dwelling be closed and remain closed, and prohibit its use as a dwelling, until the condition has been rectified, provided that notice thereof is given forthwith to the owner or to an adult person in the dwelling, and in addition the inspector may give such notice to occupants and prospective occupants by posting signs or placards on the premises or by such other method as he deems necessary. Power to close dwelling and prohibit its use

1936, c. 84,
s. 6,
subs. 13
(1960,
c. 170, s. 3,
subs. 3),
re-enacted

(6) Subsection 13 of the said section 6, as enacted by subsection 3 of section 3 of *The City of Toronto Act, 1960*, is repealed and the following substituted therefor:

Removal or
demolition
authorized

(13) The council of the corporation may pass by-laws ordering the removal or demolition of any dwelling that has been condemned pursuant to section 99 of *The Public Health Act* as unfit for human habitation or dangerous to health.

R.S.O. 1960,
c. 321

1936, c. 84,
s. 6,
amended

(7) The said section 6, as amended by section 3 of *The City of Toronto Act, 1941*, section 4 of *The City of Toronto Act, 1955*, section 4 of *The City of Toronto Act, 1956* and section 3 of *The City of Toronto Act, 1960*, is further amended by adding thereto the following subsections:

Notice of
violation

(20) If after inspection the inspector is satisfied that in some respect any dwelling violates the standards he may make an order, in which case he shall serve or cause to be served upon the registered owner of the dwelling and all persons shown by the records of the registry office, the land titles office and the sheriff's office to have an interest therein and all occupants known to him over the age of twenty-one years, a copy of the order, and, notwithstanding the foregoing, any by-law passed pursuant to this section may be enforced in accordance with subsection 7, provided that the inspector has sent or caused to be sent a copy of such order to the owner of the dwelling against whom such proceeding is taken by prepaid registered mail to his last-known address;

Contents
of order

(21) The order shall contain,

- (a) a description of the dwelling sufficient to identify and locate it;
- (b) the particulars of the violation and the time in which the demolition or repair to bring the dwelling to the standards are to be made;
- (c) the final date for giving notice of appeal, if any, from the order; and
- (d) the form of notice of appeal which shall be annexed to the order and which shall show the place to which the notice of appeal must be sent.

Substituted
service

(22) If the inspector is unable to locate or serve the owner or any other person on whom he desires to serve an order or where it is ascertained that the owner

or any such person is not within Ontario, the inspector may send or cause to be sent by prepaid registered mail a copy of such order addressed to such owner or other persons at his or their last-known address and he may place a placard containing the terms of the order in a conspicuous place on the property, and the sending of the copy of the order and the placing of the placard shall be deemed to be sufficient service of the order on the owner or other persons.

- (23) When an order has been served in accordance with this section, unless he has given notice of appeal in accordance with the section or, when an order has been sent by prepaid registered mail, the owner and the occupant, if he is liable, shall carry out the repair or demolition within the time and in the manner specified in the order. Duty
of owner
upon receipt
of notice

- (24) When the owner or occupant who has been served in accordance with this section is not satisfied that the dwelling should be demolished or that the repair ordered is necessary to bring the existing conditions up to the standards, he may give notice of appeal to the housing standards appeal committee by returning the notice of appeal in the form annexed to the order to the clerk of the municipality within fifteen days after service of the order on him as herein provided, and, in the event that no notice of appeal is given, the order shall be deemed to have been confirmed. Appeal

- (25) Where notice of appeal is given in accordance with this section, after affording a reasonable opportunity to every person on whom an order has been served to make such representations as he sees fit, and after inspecting the dwelling in the presence of any such person if so requested by him in writing, the committee shall have the powers and functions of the inspector and may confirm the order to demolish or repair or may modify or discharge it, provided that nothing herein shall authorize the committee to permit a breach of any by-law passed hereunder. Decision
on appeal

- (26) Any person or corporation affected by a decision of the housing standards appeal committee may appeal the decision to a judge of the county court of the County of York by so notifying the clerk of the corporation in writing and by applying for an appointment within fifteen days after notice of the decision has been given, and, Appeal to
county
court judge

- (a) the judge shall, in writing, appoint a day, time and place for the hearing of the appeal and in his appointment may direct that it shall be served upon such persons and in such manner as he prescribes;
- (b) the appointment shall be served in the manner prescribed at least one month before the day appointed for the hearing of the appeal; and
- (c) the judge on such appeal has the same powers and functions as the housing standards appeal committee.

**Effect of
decision**

- (27) The order as deemed to have been confirmed pursuant to subsection 24 or as confirmed or modified by the housing standards appeal committee, or, in the event of an appeal to a judge pursuant to subsection 26, as confirmed or modified by the judge, shall be final and binding upon the owner and occupant who shall make the repair or effect the demolition within the time and in the manner specified in the order, as so confirmed or modified.

**Registration
of order**

- (28) When an order has been served in accordance with subsection 20 or 22, the order may be registered in the proper registry office or registered as a caution in the proper land titles office, and, when so registered, all conveyances, mortgages, leases or other dispositions of the land to which the order applies and all interests acquired under any such conveyances, mortgages, leases or dispositions shall be subject to such order as confirmed or modified, and such order shall be an encumbrance on the land.

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- (35) Three members of the committee are a quorum. Quorum
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- (40) No person shall sell, mortgage or lease or agree to sell, mortgage or lease any dwelling in respect of which an order has been served under this section or any by-law passed hereunder without first having furnished any proposed purchaser, mortgagee or lessee with a true copy of such order. Furnishing copy of order
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7. Section 2 of *The City of Toronto Act (No. 1), 1946* ¹⁹⁴⁶ is amended by striking out "Minister of Municipal Affairs" ^{c. 141, s. 2.} amended in the first and second lines and inserting in lieu thereof "Minister of Economics and Development" so that the section, exclusive of the clauses, shall read as follows:

2. Subject to the approval of the Minister of Economics and Development, the council of the corporation may pass by-laws for undertaking slum clearance or low-rental housing projects within the municipality, and for such purpose may,—

Commence-
ment

8. This Act comes into force on the day it receives Royal Assent.

Short title

9. This Act may be cited as *The City of Toronto Act, 1967*.

SCHEDULE

BY-LAW No. 23034

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(Passed November 9, 1966)

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(2) This By-law may be cited as The Window Cleaning Safety By-law.

2. In this By-law,

(1) "anchor" means an anchor on a building to which a safety-belt may be fastened, such anchor being designed, installed and maintained in accordance with the recommendations of the Code;

(2) "Code" means the Canadian Standards Association Code of Practice for Window Cleaning, Specification No. Z91-1959;

(3) "employer" means a person in the business of cleaning windows who is self-employed or hires others to clean windows;

(4) "grade" means the lowest level of the ground abutting a wall in which windows are being cleaned;

(5) "guard-rail" means a protective barrier that,

(i) consists of a 2-inch by 4-inch wood rail securely supported on 2-inch by 4-inch wood posts spaced at intervals of not more than 8 feet, or of metal rails and posts of equivalent strength and rigidity,

(ii) is not less than 36 inches or more than 42 inches above the suspended or swing-stage scaffold platform,

(iii) has a 1-inch by 4-inch wood rail or a metal rail of equivalent strength and rigidity on the inner side of the posts midway between the top rail and the toe-board,

(iv) has a 5-inch toe-board securely fastened to the lower extremities of the posts, and

(v) is free of splinters and protruding nails and bolts;

(6) "life-line" means a line—

(i) made of the best grade manila or cotton rope not less than $\frac{5}{8}$ of an inch in diameter, and

(ii) securely attached overhead to a structural part of the building;

(7) "person" includes a corporation;

(8) "safety-belt" means a safety-belt that is designed and maintained in accordance with the recommendations of the Code;

- (9) "suspended scaffold" or "swing-stage scaffold" means a scaffold suspended from overhead supports by ropes or cables and equipped with winches or pulley blocks to raise and lower the scaffold;
- (10) "window cleaning" means the operation of cleaning windows by any means.

3. No person shall clean windows and no employer shall permit any person to clean windows in a manner contrary to this By-law.

- 4.—(1) (a) Every owner shall install and maintain anchors for all windows in a building with sills 10 feet or more above grade except where such sills are less than 10 feet above an adjoining flat roof or balcony that is not less than 3 feet in width.

(b) Paragraph (a) of subsection (1) of section 4 does not apply where the windows are so constructed that the outside of the windows may be cleaned safely from inside the building or where the windows of the building are cleaned only from a suspended scaffold, swing-stage scaffold, or boatswain's chair, or from a ladder in accordance with this section.

(2) Where the head of any window is more than 30 feet above grade, no person shall clean windows from a ladder.

- (3) (a) No person shall clean windows from an outside sill which is 10 feet or more above grade unless anchors are provided and such person uses a safety-belt securely fastened to the anchors on the building.

(b) Every employer shall provide and maintain a safety-belt for each of his employees who cleans windows from an outside sill and shall ensure that safety-belts are used in all cases where required by this By-law.

- (4) (a) No person shall use any window cleaning safety device fastened to a wood frame by lag screws.

(b) Every owner shall replace any lag screws and screwed-in fittings in wood frames with anchors.

5.—(1) A suspended scaffold or swing-stage scaffold shall,

- (a) have a hoisting device equipped with a ratchet and pawl and a positive secondary locking device in good working order;

(b) not use fibre rope where,

- (i) the distance between pulley blocks exceeds 300 feet,
- (ii) a hoisting drum is used, or
- (iii) any corrosive substance is in the vicinity of the rope;

(c) have overhead supports firmly secured to the building or structure;

(d) have steel hangers located not less than 6 inches and not more than 18 inches from the ends of the platform;

(e) have a platform not less than 2 inches thick and 20 inches wide of wood planking or its equivalent in strength firmly secured to all other structural members;

(f) have a guard-rail properly braced and fastened to one side and the ends of the scaffold platform; and

- (g) have the space between the top rail of the guard-rail and the toe-board securely screened with wire mesh netting having openings not larger than 2 inches or protected with $\frac{3}{4}$ -inch boards secured to the inside of the posts and not more than 1 inch apart.
- (2) A boatswain's chair shall,
 - (a) be not less than 2 feet long by 10 inches wide by 1 inch thick;
 - (b) be reinforced by cleats securely fastened under the full width of the chair;
 - (c) be supported by a sling of $\frac{3}{8}$ -inch wire rope; and
 - (d) have a suspension rope for the sling securely fastened to a safe point overhead or passed through a pulley block securely fastened to a secure and accessible object.
- (3) No person shall use for window cleaning any device, and notwithstanding the foregoing, any suspended scaffold, swing-stage scaffold, boatswain's chair, safety-belt or life-line, that does not comply with the standards required by this By-law.
- (4) Every employer shall provide and maintain a safety-belt for each of his employees who cleans windows from a suspended scaffold, swing-stage scaffold, or boatswain's chair and shall ensure that safety-belts are used by all his employees who clean windows by such means.
- (5) Every person using a suspended scaffold, swing-stage scaffold, or boatswain's chair for window cleaning shall use a safety-belt that is securely attached to a life-line.
- (6) No employer shall permit a person who,
 - (i) has not been instructed in the handling of such equipment, and
 - (ii) is not competent to handle such equipment to work on a suspended scaffold, swing-stage scaffold, or boatswain's chair.
- 6.—(1) (a) Every employer shall have a competent person inspect and service all suspended scaffolds, swing-stage scaffolds and boatswain's chairs before the same are put into use and thereafter at intervals not exceeding one month, and such equipment shall be maintained in accordance with the standards required by this By-law.
- (b) No person shall use for window cleaning any suspended scaffold, swing-stage scaffold, or boatswain's chair that has not been inspected as required by this section.
- (c) Every person who inspects or services such equipment shall affix to the equipment at the time of each inspection or service an identification tag that states the date of the inspection or service and the name and address of the person who inspected or serviced the equipment, and no person shall use for window cleaning any such equipment that does not carry such identification tag.
- (d) No person other than a person who replaces an identification tag pursuant to paragraph (c), shall remove an identification tag that has been affixed to any such equipment.
- (2) (a) Every owner shall have a competent person inspect all anchors on a building at intervals not exceeding six months.
- (b) The owner shall immediately repair or replace any anchor that has become loose or worn.

- (c) The owner shall make and keep a permanent record of each inspection required by paragraph (a) and such record shall,
 - (i) sufficiently identify the anchors referred to,
 - (ii) state the date such anchors were installed or replaced,
 - (iii) state the name and address of the person making the inspection,
 - (iv) state the date of the inspection, and
 - (v) indicate the condition of the anchors and, if any were repaired, the nature of such repairs.
- (3) (a) Every person shall inspect every safety-belt, life-line, cable and rope before using it for window cleaning.
- (b) Every employer shall have a competent person inspect at intervals not exceeding one month every safety-belt, life-line, cable and rope that is used for window cleaning.
- (c) Whenever safety-belts, life-lines, attachments, ropes or cables show signs of wear or weakness, an employer shall forthwith remove them, or any of them, from service and replace the same with equipment that complies with the standards required by this By-law.
- (d) Every employer shall make and keep a permanent record of each inspection required by paragraph (b) and such record shall,
 - (i) sufficiently identify the equipment,
 - (ii) state the date or dates such equipment was purchased,
 - (iii) state the date of each inspection,
 - (iv) state the name and address of the person making the inspection, and
 - (v) state the condition of the equipment at the time of the inspection.
- (4) (a) The Commissioner of Buildings for the City of Toronto may require for his inspection the production of any record kept pursuant to this By-law.
- (b) No person shall neglect or refuse to produce such record once notice to do so has been given by the Commissioner.
- 7. Where an owner is precluded by law from carrying out any obligation imposed upon him by this By-law, such obligation shall devolve upon the person having the legal right so to undertake the same.
- 8. Every person who contravenes any provision of this By-law is guilty of an offence and on summary conviction is liable to a fine (exclusive of costs) of not more than \$300.00 for each offence.
- 9. This By-law shall come into force when the same has been passed by the said Council and has been validated by a statute of the Province of Ontario.

An Act respecting the City of Toronto

1st Reading

February 3rd, 1967

2nd Reading

April 17th, 1967

3rd Reading

June 12th, 1967

MR. COWLING

BILL Pr26

5TH SESSION, 27TH LEGISLATURE, ONTARIO
15-16 ELIZABETH II, 1967

An Act respecting the St. Catharines Club

MR. MORNINGSTAR

(PRIVATE BILL)

BILL Pr26

1967

An Act respecting the St. Catharines Club

WHEREAS the St. Catharines Club by its petition has ^{Preamble} represented that it was incorporated by *An Act to Incorporate the St. Catharines Club*, being chapter 83 of the Statutes of Ontario, 1886; and whereas the petitioner has prayed for special legislation amending its Act of incorporation to increase its borrowing powers from \$20,000 to \$400,000; and whereas it is expedient to grant the prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Section 4 of *An Act to Incorporate the St. Catharines Club* ^{1886, c. 83, s. 4, amended} is amended by striking out "\$20,000" in the eighth line and inserting in lieu thereof "\$400,000", so that the section shall read as follows:

4. The said corporation with the assent of the members, ^{Borrowing Powers} as hereinafter provided for, may raise or borrow either upon mortgage of the real and personal property of the corporation, or by the issue of debentures, secured thereon as hereinafter provided, or by the issue of stock, or partly in one way and partly in the other or others, such sum of money as they may deem necessary, not exceeding in the aggregate the sum of \$400,000.

2. This Act comes into force on the day it receives Royal <sup>Commence-
ment</sup> Assent.

3. This Act may be cited as *The St. Catharines Club* ^{Short title} *Act, 1967*.

An Act respecting the St. Catharines Club

1st Reading

2nd Reading

3rd Reading

MR. MORNINGSTAR

(Private Bill)

BILL Pr26

5TH SESSION, 27TH LEGISLATURE, ONTARIO
15-16 ELIZABETH II, 1967

An Act respecting the St. Catharines Club

MR. MORNINGSTAR

BILL Pr26

1967

An Act respecting the St. Catharines Club

WHEREAS the St. Catharines Club by its petition has ^{Preamble} represented that it was incorporated by *An Act to Incorporate the St. Catharines Club*, being chapter 83 of the Statutes of Ontario, 1886; and whereas the petitioner has prayed for special legislation amending its Act of incorporation to increase its borrowing powers from \$20,000 to \$400,000; and whereas it is expedient to grant the prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Section 4 of *An Act to Incorporate the St. Catharines Club* ^{1886, c. 83, s. 4,} is amended by striking out "\$20,000" in the eighth line and ^{amended} inserting in lieu thereof "\$400,000", so that the section shall read as follows:

4. The said corporation with the assent of the members, ^{Borrowing Powers} as hereinafter provided for, may raise or borrow either upon mortgage of the real and personal property of the corporation, or by the issue of debentures, secured thereon as hereinafter provided, or by the issue of stock, or partly in one way and partly in the other or others, such sum of money as they may deem necessary, not exceeding in the aggregate the sum of \$400,000.

2. This Act comes into force on the day it receives Royal ^{Commence-} Assent. ^{ment}

3. This Act may be cited as *The St. Catharines Club* ^{Short title} Act, 1967.

An Act respecting the St. Catharines Club

1st Reading

February 13th, 1967

2nd Reading

March 20th, 1967

3rd Reading

March 22nd, 1967

MR. MORNINGSTAR

BILL Pr27

5TH SESSION, 27TH LEGISLATURE, ONTARIO
15-16 ELIZABETH II, 1967

An Act respecting the City of Niagara Falls

MR. BUKATOR

(PRIVATE BILL)

BILL Pr27

1967

An Act respecting the City of Niagara Falls

WHEREAS The Corporation of the City of Niagara Falls, herein called the Corporation, by its petition has prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the petition; Preamble

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1.—(1) Notwithstanding any general or special Act, the council of the Corporation may by by-law authorize and direct the treasurer of the Corporation to allow a credit equivalent to that portion of the real property taxes imposed by the Corporation for school purposes on payment by any person of the remaining portion of the real property taxes so imposed in respect of any residential real property or any part thereof owned and occupied by such person, or by the husband or wife of such person, or by both, as his, her or their personal residence, where such person, or the husband or wife of such person, or both, have attained the age of sixty-five years and are receiving a government benefit under the *Old Age Security Act* (Canada) or *The Old Age Assistance Act*, provided, however, that no such credit, Tax credit for old age pensioners
R.S.C. 1952, c. 200
R.S.O. 1960, c. 267

- (a) shall exceed the sum of \$100 in any one year;
- (b) shall be allowed to any person in respect of more than one such property in any one year;
- (c) shall be allowed to any person who has not made application therefor on or before the last day of February in the year in which the real property taxes in respect of which such credit is claimed become due and payable;

(d) shall be allowed to any person unless such person, or the husband or wife of such person, or both, have been assessed as the owner of real property in the City of Niagara Falls for at least ten of the fifteen years immediately preceding the year in which the application for such a credit is made; or

(e) shall be allowed to any person unless and until the applicant and the husband or wife of the applicant, if any, have passed whatever means test may be prescribed by the by-law.

By-laws for
adminis-
tration

(2) Any by-law passed pursuant to this section may prescribe such regulations with respect to the administration thereof, not inconsistent with this section, which to the council of the Corporation may seem proper, and shall provide for including in the yearly estimates all sums required to give effect to the provisions of the by-law.

Commence-
ment

2. This Act comes into force on the day it receives Royal Assent.

Short title

3. This Act may be cited as *The City of Niagara Falls Act, 1967*.

An Act respecting the
City of Niagara Falls

1st Reading

February 13th, 1967

2nd Reading

3rd Reading

MR. BUKATOR

(*Private Bill*)

BILL Pr27

5TH SESSION, 27TH LEGISLATURE, ONTARIO
15-16 ELIZABETH II, 1967

An Act respecting the City of Niagara Falls

MR. BUKATOR

(Reprinted as amended by the Committee on Private Bills)

BILL Pr27 AN ACT RESPECTING THE CITY OF NIAGARA FALLS

1967

An Act respecting the City of Niagara Falls

WHEREAS The Corporation of the City of Niagara Falls, herein called the Corporation, by its petition has prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the petition; Preamble

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1.—(1) Notwithstanding any general or special Act, the council of the Corporation may by by-law authorize and direct the treasurer of the Corporation to allow a credit equivalent to that portion of the real property taxes imposed by the Corporation or a school board for school purposes on payment by any person of the remaining portion of the real property taxes so imposed in respect of any residential real property or any part thereof owned and occupied by such person, or by the husband or wife of such person, or by both, as his, her or their personal residence, where such person, or the husband or wife of such person, or both, have attained the age of sixty-five years and are receiving a government benefit under the *Old Age Security Act* (Canada) or *The Old Age Assistance Act*, provided, however, that no such credit, Tax credit
for old age
pensioners

R.S.C. 1952,
c. 200
R.S.O. 1960,
c. 267

- (a) shall exceed the sum of \$100 in any one year;
- (b) shall be allowed to any person in respect of more than one such property in any one year;
- (c) shall be allowed to any person who has not made application therefor on or before the last day of February in the year in which the real property taxes in respect of which such credit is claimed become due and payable;

(d) shall be allowed to any person unless such person, or the husband or wife of such person, or both, have been assessed as the owner of real property in the City of Niagara Falls for at least ten of the fifteen years immediately preceding the year in which the application for such a credit is made; or

(e) shall be allowed to any person unless and until the applicant and the husband or wife of the applicant, if any, have passed whatever means test may be prescribed by the by-law.

By-laws for
adminis-
tration

(2) Any by-law passed pursuant to this section may prescribe such regulations with respect to the administration thereof, not inconsistent with this section, which to the council of the Corporation may seem proper, and shall provide for including in the yearly estimates all sums required to give effect to the provisions of the by-law.

Commence-
ment

2. This Act comes into force on the day it receives Royal Assent.

Short title

3. This Act may be cited as *The City of Niagara Falls Act, 1967*.

An Act respecting the
City of Niagara Falls

1st Reading

February 13th, 1967

2nd Reading

3rd Reading

MR. BUKATOR

*(Reprinted as amended by the
Committee on Private Bills)*

BILL Pr28

5TH SESSION, 27TH LEGISLATURE, ONTARIO
15-16 ELIZABETH II, 1967

An Act respecting the City of Hamilton

MRS. PRITCHARD

(PRIVATE BILL)

BILL Pr28

1967

An Act respecting the City of Hamilton

WHEREAS The Corporation of the City of Hamilton ^{Preamble} by its petition has prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Section 4 of *The City of Hamilton Act, 1966* is amended ^{1966, c. 171, s. 4, amended} by striking out "\$64,000" in the third line and inserting in lieu thereof "\$89,000", so that the section shall read as follows:

4. The council of The Corporation of the City of ^{Grant to Hamilton S.P.C.A.} Hamilton may by by-law grant aid totalling an amount not exceeding \$89,000 to the Hamilton Society for the Prevention of Cruelty to Animals to assist the Society in constructing a new animal shelter in the City of Hamilton.

2. Subsection 1 of section 2 of *The City of Hamilton Act*, ^{1956, c. 105, s. 2, subs. 1, amended} 1956, is amended by striking out "\$30,000" in the third line and inserting in lieu thereof "\$40,000", so that the subsection shall read as follows:

(1) The council may, out of current revenues of the ^{Grants authorized} Corporation, in any year grant such sum or sums of money, not exceeding in the aggregate \$40,000 in any one year, in aid of institutions, associations or persons, for the carrying on of activities which in the opinion of the council are for the general advantage of the inhabitants of the Corporation, and for which grant or grants there is no express authority provided by any other Act.

3. Where The Corporation of the City of Hamilton has ^{Owner's appraisal fee on expropriation} expropriated the personal residence of any person who, alone or with others,

- (a) is the owner of the expropriated residence in fee simple or to uses;
- (b) is entitled to an equity of redemption in the expropriated residence; or
- (c) is the purchaser of the expropriated residence under an agreement of purchase and sale, whether as an assignee or otherwise,

the Corporation may pay to such person a sum not exceeding \$250 to assist him in obtaining the report of an independent appraiser as to the compensation to which he is entitled.

Acquisition
of shares
on expro-
priation

4. Where The Corporation of the City of Hamilton has expropriated land in exercise of its statutory powers, it may, by by-law of the council of The Corporation of the City of Hamilton, acquire all of the issued and outstanding shares of any corporation having a claim upon the compensation by reason of its interest in the land having been vested in The Corporation of the City of Hamilton upon the expropriation, if,

- (a) the council of the Corporation deems it to be to the advantage of the Corporation to acquire the said shares; and
- (b) at the time the said shares are acquired, the claim upon the compensation is the only asset of the corporation; and
- (c) by the same by-law, which may not thereafter be repealed, the council of the Corporation directs that the corporation be wound up and its charter surrendered.

Interpre-
tation

5.—(1) In this section,

- (a) "council" means the council of The Corporation of the City of Hamilton;
- (b) "land" includes any interest therein;
- (c) "unsubdivided land" means land within an area designated by by-law of the council under subsection 1 of section 26 of *The Planning Act* or within a plan of subdivision, or part of a plan of subdivision, designated by the council under subsection 2 of the said section 26.

R.S.O. 1960,
c. 296

(2) Where The Corporation of the City of Hamilton acquires unsubdivided land for highway purposes, the council may by by-law, passed by a vote of three-quarters of all the members of the council, declare that the owner of the land abutting upon the land so acquired shall be deemed to have no frontage on any highway to be established thereon and shall have no access thereto or to any work or service on, under or over the highway until he has paid to the Corporation toward the cost of the highway and the works and services on, under or over the highway, including the cost of the land, such amount as would equal his cost if he had established the highway by plan of subdivision.

Contribution
by adjoining
owner of
lands
acquired for
highway

(3) Where a by-law is passed under subsection 2,

Effect
of by-law

(a) The Corporation of the City of Hamilton shall exclude from any highway established on the land acquired and retain as a reserve a strip of land one foot wide between the limit of the highway and the limit of the land in respect of which the declaration is made;

(b) where the land is acquired by expropriation, the notice of expropriation required to be served under *The Expropriation Procedures Act, 1962-63* shall contain notice of the by-law; and

1962-63,
c. 43

(c) so long as the by-law applies to any land, no part of the cost of the highway or of any work or service installed or constructed on, under or over the highway shall be charged to the owner of that land.

(4) A by-law passed under subsection 2 applies in respect of land referred to in the by-law upon the registration in the proper registry office or land titles office of a copy of the by-law.

Registra-
tion of
by-law

(5) Where the payment required by a by-law passed under subsection 2 has been paid,

Payment of
contribution

(a) The Corporation of the City of Hamilton shall execute and deliver to the owner of the land, to which the by-law passed under subsection 2 applies, a certificate of the fact in a form suitable for registration containing a description of the land in respect of which the payment has been made; and

(b) The Corporation of the City of Hamilton shall convey to the owner of the land to which the by-law passed under subsection 2 applies, that part of the

reserve lying between his land and the highway, or, where the highway has not yet been established, the land that was acquired for the purpose of creating that reserve.

Discharge
of declara-
tion

(6) Upon the registration of the certificate provided for under subsection 5 in the proper registry office or land titles office, the by-law passed under subsection 2 ceases to apply to the land described in the said certificate.

Corporation
may acquire
reserve

(7) The Corporation of the City of Hamilton is authorized to acquire land for the purposes of the reserves required to be retained under clause *a* of subsection 3.

Retirement
allowance
extended
R.S.O. 1960,
c. 249

6.—(1) Notwithstanding section 240 of *The Municipal Act*, The Corporation of the City of Hamilton may grant an annual retirement allowance thereunder to,

- (a) past employees;
- (b) employees of the Board of Governors of the Hamilton Civic Hospitals who retired before the 18th day of April, 1962;
- (c) employees who have been retired, or may hereafter be retired, with fewer than twenty years of continuous service; and
- (d) employees who have entered the service of a municipality or local board after the 1st day of January, 1948.

Employees
previously
retired

(2) In the case of employees who have been retired, the words "the preceding three years of his service" as contained in section 240 of *The Municipal Act* shall be read and construed as "the final three years of his service".

Employees
having
fewer than
20 years
service

(3) In the case of employees who have been retired, or are hereafter retired, with fewer than twenty years of continuous service, the maximum allowance payable under section 240 of *The Municipal Act* shall be reduced so that it bears the same relationship to the said maximum as the employee's period of continuous service bears to twenty years.

Commence-
ment

7. This Act comes into force on the day it receives Royal Assent.

Short title

8. This Act may be cited as *The City of Hamilton Act, 1967*.

An Act respecting the City of Hamilton

1st Reading

February 13th, 1967

2nd Reading

3rd Reading

MRS. PRITCHARD

(*Private Bill*)

BILL Pr28

5TH SESSION, 27TH LEGISLATURE, ONTARIO
15-16 ELIZABETH II, 1967

An Act respecting the City of Hamilton

MRS. PRITCHARD

(Reprinted as amended by the Committee on Private Bills)


BILL Pr28


1967

An Act respecting the City of Hamilton

WHEREAS The Corporation of the City of Hamilton ^{Preamble} by its petition has prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

 1. Subsection 1 of section 2 of *The City of Hamilton Act*, ^{1966, c. 171, s. 2} 1966 is amended by inserting after "Corporation" in the fifth ^{subs. 1, amended} line "or a school board", so that the subsection, exclusive of the clauses, shall read as follows:

2.—(1) Notwithstanding any general or special Act, the ^{Tax credit to old age pensioners} council of The Corporation of the City of Hamilton may by by-law authorize and direct the treasurer of the Corporation to allow a credit equivalent to that portion of the real property taxes imposed by the Corporation or a school board for school purposes on payment by any person of the remaining portion of the real property taxes so imposed in respect of any residential real property or any part thereof owned and occupied by such person, or by the husband or wife of such person, or by both, as his, her or their personal residence, where such person, or the husband or wife of such person, or both, have attained the age of seventy years and are receiving a governmental benefit under the *Old Age Security Act* (Canada), ^{R.S.C. 1952, c. 200} provided, however, that no such credit, 

2. Section 4 of *The City of Hamilton Act*, 1966 is amended ^{1966, c. 171, s. 4, amended} by striking out "\$64,000" in the third line and inserting in lieu thereof "\$89,000", so that the section shall read as follows:

Grant to
Hamilton
S.P.C.A.

4. The council of The Corporation of the City of Hamilton may by by-law grant aid totalling an amount not exceeding \$89,000 to the Hamilton Society for the Prevention of Cruelty to Animals to assist the Society in constructing a new animal shelter in the City of Hamilton.

1956,
c. 105, s. 2,
subs. 1,
amended

3. Subsection 1 of section 2 of *The City of Hamilton Act, 1956*, is amended by striking out "\$30,000" in the third line and inserting in lieu thereof "\$40,000", so that the subsection shall read as follows:

Grants
authorized

- (1) The council may, out of current revenues of the Corporation, in any year grant such sum or sums of money, not exceeding in the aggregate \$40,000 in any one year, in aid of institutions, associations or persons, for the carrying on of activities which in the opinion of the council are for the general advantage of the inhabitants of the Corporation, and for which grant or grants there is no express authority provided by any other Act.

Owner's
appraisal
fee on
expropria-
tion

4. Where The Corporation of the City of Hamilton has expropriated the personal residence of any person who, alone or with others,

- (a) is the owner of the expropriated residence in fee simple or to uses;
- (b) is entitled to an equity of redemption in the expropriated residence; or
- (c) is the purchaser of the expropriated residence under an agreement of purchase and sale, whether as an assignee or otherwise,

the Corporation may pay to such person a sum not exceeding \$250 to assist him in obtaining the report of an independent appraiser as to the compensation to which he is entitled.

Commence-
ment

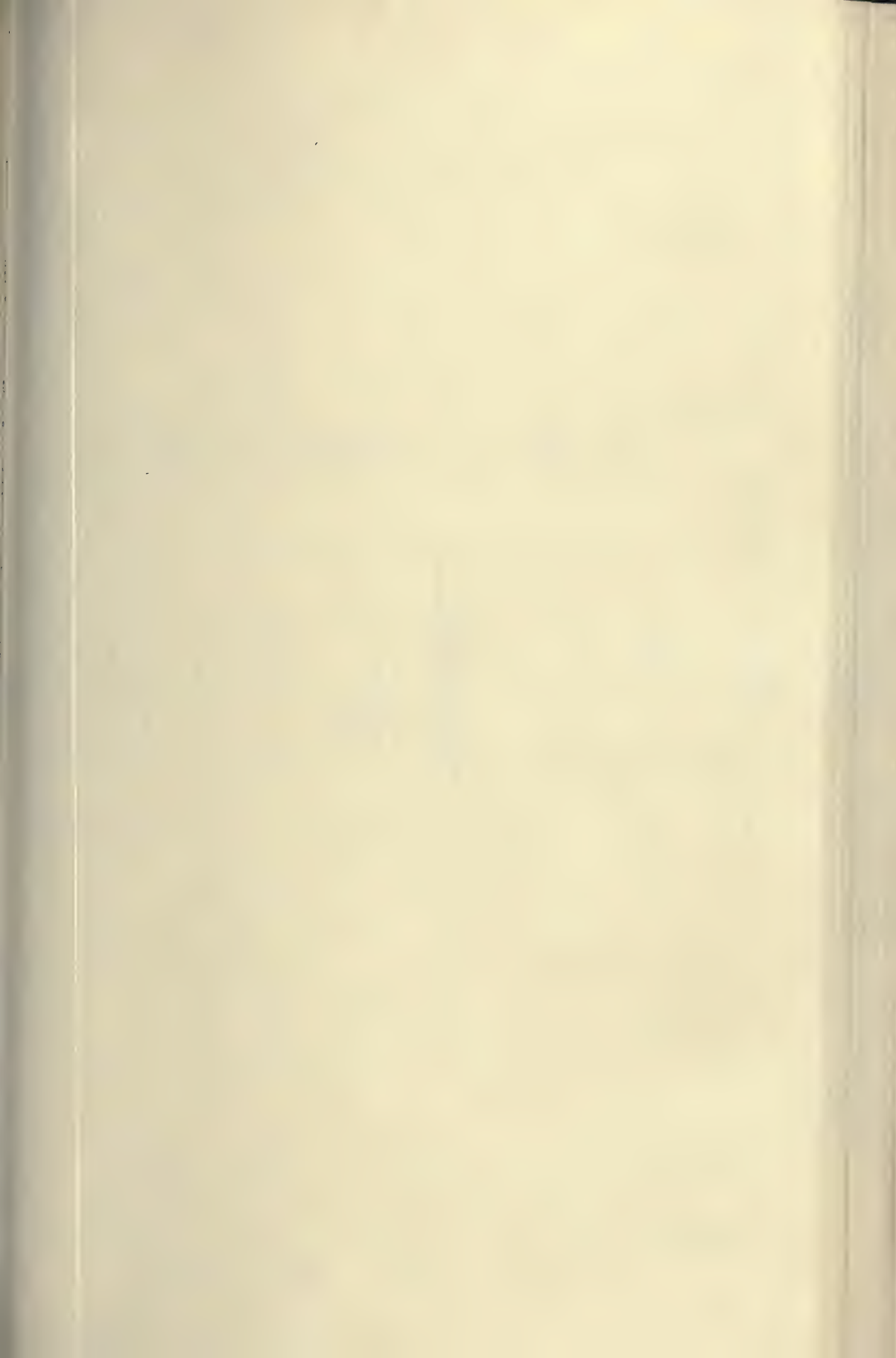
- 5.—(1) This Act, except section 1, comes into force on the day it receives Royal Assent.

Idem

- (2) Section 1 shall be deemed to have come into force on the 6th day of April, 1966.

Short title

6. This Act may be cited as *The City of Hamilton Act, 1967*.



An Act respecting the City of Hamilton

1st Reading

February 13th, 1967

2nd Reading

3rd Reading

Mrs. PRITCHARD

*(Reprinted as amended by the
Committee on Private Bills)*

BILL Pr28

5TH SESSION, 27TH LEGISLATURE, ONTARIO
15-16 ELIZABETH II, 1967

An Act respecting the City of Hamilton

MRS. PRITCHARD

10-11-1911

10-11-1911

10-11-1911

BILL Pr28

1967

An Act respecting the City of Hamilton

WHEREAS The Corporation of the City of Hamilton ^{Preamble} by its petition has prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Subsection 1 of section 2 of *The City of Hamilton Act*, ^{1966, c. 171, s. 2,} 1966 is amended by inserting after "Corporation" in the fifth ^{subs. 1,} line "or a school board", so that the subsection, exclusive of ^{amended} the clauses, shall read as follows:

2.—(1) Notwithstanding any general or special Act, the ^{Tax credit to old age pensioners} council of The Corporation of the City of Hamilton may by by-law authorize and direct the treasurer of the Corporation to allow a credit equivalent to that portion of the real property taxes imposed by the Corporation or a school board for school purposes on payment by any person of the remaining portion of the real property taxes so imposed in respect of any residential real property or any part thereof owned and occupied by such person, or by the husband or wife of such person, or by both, as his, her or their personal residence, where such person, or the husband or wife of such person, or both, have attained the age of seventy years and are receiving a governmental benefit under the *Old Age Security Act* (Canada), ^{R.S.C. 1952, c. 200} provided, however, that no such credit,

2. Section 4 of *The City of Hamilton Act*, 1966 is amended ^{1966, c. 171, s. 4,} by striking out "\$64,000" in the third line and inserting in ^{amended} lieu thereof "\$89,000", so that the section shall read as follows:

Grant to
Hamilton
S.P.C.A.

4. The council of The Corporation of the City of Hamilton may by by-law grant aid totalling an amount not exceeding \$89,000 to the Hamilton Society for the Prevention of Cruelty to Animals to assist the Society in constructing a new animal shelter in the City of Hamilton.

1956,
c. 105, s. 2,
subs. 1,
amended

3. Subsection 1 of section 2 of *The City of Hamilton Act, 1956*, is amended by striking out "\$30,000" in the third line and inserting in lieu thereof "\$40,000", so that the subsection shall read as follows:

Grants
authorized

- (1) The council may, out of current revenues of the Corporation, in any year grant such sum or sums of money, not exceeding in the aggregate \$40,000 in any one year, in aid of institutions, associations or persons, for the carrying on of activities which in the opinion of the council are for the general advantage of the inhabitants of the Corporation, and for which grant or grants there is no express authority provided by any other Act.

Owner's
appraisal
fee on
expropria-
tion

4. Where The Corporation of the City of Hamilton has expropriated the personal residence of any person who, alone or with others,

- (a) is the owner of the expropriated residence in fee simple or to uses;
- (b) is entitled to an equity of redemption in the expropriated residence; or
- (c) is the purchaser of the expropriated residence under an agreement of purchase and sale, whether as an assignee or otherwise,

the Corporation may pay to such person a sum not exceeding \$250 to assist him in obtaining the report of an independent appraiser as to the compensation to which he is entitled.

Commence-
ment

- 5.—(1) This Act, except section 1, comes into force on the day it receives Royal Assent.

Idem

- (2) Section 1 shall be deemed to have come into force on the 6th day of April, 1966.

Short title

6. This Act may be cited as *The City of Hamilton Act, 1967*.

An Act respecting the City of Hamilton

1st Reading

February 13th, 1967

2nd Reading

April 17th, 1967

3rd Reading

June 12th, 1967

Mrs. PRITCHARD

BILL Pr29

5TH SESSION, 27TH LEGISLATURE, ONTARIO
15-16 ELIZABETH II, 1967

An Act respecting the Borough of Scarborough

MR. PECK

(PRIVATE BILL)

BILL Pr29

1967

An Act respecting the Borough of Scarborough

WHEREAS The Corporation of the Borough of Scar- ^{Preamble}
borough by its petition has prayed for special legislation
in respect of the matters hereinafter set forth; and whereas
it is expedient to grant the prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent
of the Legislative Assembly of the Province of Ontario, enacts
as follows:

1. The council of The Corporation of the Borough of ^{Prohibition}
Scarborough may by by-law prohibit or regulate the sale of ^{of street}
fruits, candy, peanuts, ice cream, ice cream cones, frozen or ^{vending of}
iced milk, frozen or iced desserts, or other confections from a ^{refresh-}
basket or wagon, cart or other vehicle upon any highway, ^{ments}
or part of it, or in any public park, public place, or in any
defined area or areas of the Borough of Scarborough.

2. This Act comes into force on the day it receives Royal ^{Commence-}
Assent. ^{ment}

3. This Act may be cited as *The Borough of Scarborough* ^{Short title}
Act, 1967.

An Act respecting the
Borough of Scarborough

1st Reading

2nd Reading

3rd Reading

Mr. PECK

(Private Bill)

BILL Pr29

5TH SESSION, 27TH LEGISLATURE, ONTARIO
15-16 ELIZABETH II, 1967

An Act respecting the Borough of Scarborough

MR. PECK

THE UNIVERSITY OF CHICAGO

THE UNIVERSITY OF CHICAGO

THE UNIVERSITY OF CHICAGO

BILL Pr29

1967

An Act respecting the Borough of Scarborough

WHEREAS The Corporation of the Borough of Scar- Preamble
borough by its petition has prayed for special legislation
in respect of the matters hereinafter set forth; and whereas
it is expedient to grant the prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent
of the Legislative Assembly of the Province of Ontario, enacts
as follows:

1. The council of The Corporation of the Borough of Prohibition
of street
vending of
refresh-
ments
Scarborough may by by-law prohibit or regulate the sale of
fruits, candy, peanuts, ice cream, ice cream cones, frozen or
iced milk, frozen or iced desserts, or other confections from a
basket or wagon, cart or other vehicle upon any highway,
or part of it, or in any public park, public place, or in any
defined area or areas of the Borough of Scarborough.

2. This Act comes into force on the day it receives Royal Commence-
ment
Assent.

3. This Act may be cited as *The Borough of Scarborough* Short title
Act, 1967.

An Act respecting the
Borough of Scarborough

1st Reading

February 13th, 1967

2nd Reading

February 27th, 1967

3rd Reading

March 21st, 1967

MR. PECK

BILL Pr30

**5TH SESSION, 27TH LEGISLATURE, ONTARIO
15-16 ELIZABETH II, 1967**

An Act respecting the Town of Blind River

MR. FARQUHAR

(PRIVATE BILL)

BILL Pr30

1967

An Act respecting the Town of Blind River

WHEREAS The Corporation of the Town of Blind River by its petition has represented that it was incorporated by *An Act to incorporate the Town of Blind River*, being chapter 62 of the Statutes of Ontario, 1906, and that the said Act of incorporation established wards and provided for the election of councillors and public school trustees by wards; and whereas the petitioner desires to abolish the ward system and to elect councillors and public school trustees at large in the manner provided by general legislation; and whereas it is expedient to grant the prayer of the petition;

Preamble

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Sections 3, 8 and 18 of *An Act to incorporate the Town of Blind River* are repealed. ^{1906, c. 62, ss. 3, 8, 18, repealed}

2.—(1) The members of the council of The Corporation of the Town of Blind River who are in office when this Act comes into force shall remain in office until the council elected at the next election therefor is organized. ^{Present council continued}

(2) The public school trustees of The Corporation of the Town of Blind River who are in office when this Act comes into force shall remain in office until the trustees elected at the next election therefor take office. ^{Present school trustees continued}

3. This Act comes into force on the day it receives Royal Assent. ^{Commencement}

4. This Act may be cited as *The Town of Blind River Act*, ^{Short title} 1967.

An Act respecting the
Town of Blind River

1st Reading

February 13th, 1967

2nd Reading

3rd Reading

MR. FARQUHAR

(Private Bill)

BILL Pr30

5TH SESSION, 27TH LEGISLATURE, ONTARIO
15-16 ELIZABETH II, 1967

An Act respecting the Town of Blind River

MR. FARQUHAR

THE UNIVERSITY OF CHICAGO
 LIBRARY

RECEIVED OF THE UNIVERSITY OF CHICAGO

THE UNIVERSITY OF CHICAGO
 LIBRARY

BILL Pr30

1967

An Act respecting the Town of Blind River

WHEREAS The Corporation of the Town of Blind River by its petition has represented that it was incorporated by *An Act to incorporate the Town of Blind River*, being chapter 62 of the Statutes of Ontario, 1906, and that the said Act of incorporation established wards and provided for the election of councillors and public school trustees by wards; and whereas the petitioner desires to abolish the ward system and to elect councillors and public school trustees at large in the manner provided by general legislation; and whereas it is expedient to grant the prayer of the petition;

Preamble

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Sections 3, 8 and 18 of *An Act to incorporate the Town of Blind River* are repealed.

1906, c. 62,
ss. 3, 8, 18,
repealed

2.—(1) The members of the council of The Corporation of the Town of Blind River who are in office when this Act comes into force shall remain in office until the council elected at the next election therefor is organized.

Present
council
continued

(2) The public school trustees of The Corporation of the Town of Blind River who are in office when this Act comes into force shall remain in office until the trustees elected at the next election therefor take office.

Present
school
trustees
continued

3. This Act comes into force on the day it receives Royal Assent.

Commence-
ment

4. This Act may be cited as *The Town of Blind River Act*, 1967.

Short title

An Act respecting the
Town of Blind River

1st Reading

February 13th, 1967

2nd Reading

March 20th, 1967

3rd Reading

March 22nd, 1967

MR. FARQUHAR

BILL Pr31

5TH SESSION, 27TH LEGISLATURE, ONTARIO
15-16 ELIZABETH II, 1967

An Act respecting The University of Western Ontario

MR. WHITE

(PRIVATE BILL)

BILL Pr31 1967

**An Act respecting
The University of Western Ontario**

WHEREAS The University of Western Ontario by its ^{Preamble} petition has prayed for special legislation varying the provisions of its Act of incorporation in relation to its organization, government and administration; and whereas it is expedient to grant the prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. In this Act, <sup>Interpre-
tation</sup>

- (a) "Board" means The Board of Governors of The University of Western Ontario;
- (b) "college" means a school, college or faculty or other institution of higher learning offering courses leading to a degree;
- (c) "Faculty" means full-time members of the academic staff of the University including the Vice-Chancellor and academic Deans, and such of the part-time academic staff of the University as the Senate may from time to time determine;
- (d) "property" means all property, both real and personal;
- (e) "real property" means messuages, lands, tenements and hereditaments, whether corporeal or incorporeal, and any undivided share thereof and any estate or interest therein;
- (f) "Senate" means the Senate of the University of Western Ontario;
- (g) "student body" means those persons who are at the pertinent time enrolled as full-time students in any programme leading to a degree in any of the colleges of the University, but does not include students of an affiliate of the University;

- (h) "University" means The University of Western Ontario, but does not include any college affiliated with the University.

University
continued

2. The University, commonly known as "Western", the Board and the Senate and the statutes and regulations of, appointments in and affiliation of colleges with, the University, existing at the time this Act comes into force, are and each of them is hereby continued, subject to this Act.

Religious
tests not
required

3. The government, management and control of the University shall continue to be undenominational and no religious test shall be required of any officer, member of the teaching staff, employee or student of the University, nor shall any religious observances be imposed on him.

Proceedings
by or against
University

4. All proceedings by or against the University may be had and taken in the name of "The University of Western Ontario".

GRANTS

Grants by
City of
London

5. The City of London may grant annually or from time to time to the University such sum as the City and the University may agree upon, without obtaining the assent of the electors qualified to vote on money by-laws for such grant, except that any grant exceeding in any one year \$1 per capita of population as determined by the last yearly census as returned to the clerk by the assessment commissioner shall first receive the assent of the electors.

Grants by
counties

6. The county council of any of the counties of Essex, Kent, Elgin, Norfolk, Lambton, Middlesex, Oxford, Brant, Huron, Bruce, Grey, Perth, Wellington, and Waterloo, or the council of any municipality in such counties other than the City of London, may make grants to the Board for the use of the University without obtaining the assent of the electors qualified to vote on money by-laws for such grant, except that any grant in excess of \$20,000 in any one year shall first receive the assent of the electors.

PROPERTY

Property in
trust vested
in Board

7. All property heretofore or hereafter granted, conveyed, devised or bequeathed by any person, firm or corporation in trust for or for the benefit of the University or of any faculty, school or department thereof or otherwise in connection therewith, subject to the trust affecting the same, vests in the Board.

8. All real property vested in the Board shall, as far as the application of any statute of limitations is concerned, include any statute limiting or defining the period for the investigation of titles, be deemed to have been and to be real property vested in the Crown for the public use of the Province of Ontario.

9. Real property vested in the Board shall not be liable to be entered upon, used or taken by any corporation except a municipal corporation or by any person possessing the right of taking land compulsorily for any purpose and no power to expropriate real property hereafter conferred shall extend to such real property unless the Act conferring the power applies thereto in express terms.

THE BOARD OF GOVERNORS

10. The Board of Governors of the University is hereby continued as a body corporate by the name and style of "The Board of Governors, The University of Western Ontario".

11.—(1) The Board shall consist of,

- (a) the President of the University, the Mayor of the City of London, the Warden of the County of Middlesex, and the Chancellor of the University, who shall be *ex officio* members;
- (b) four persons appointed by the council of the City of London;
- (c) four persons appointed by the Lieutenant Governor in Council;
- (d) two persons appointed or elected by the Alumni Association of the University;
- (e) four members of the Faculty who are or have been members of the Senate elected by the Senate;
- (f) one member elected by the student body in such manner and on such terms as the Board may determine, after consultation with the elected representatives of the student body, who shall be either the holder of a degree, which may include an honorary degree, from the University, or a former member of the Faculty, and such member shall not at the time of his election be or have been within the preceding twelve months a member of the student body or of any of its affiliates, but may be enrolled in a post-graduate course in any other degree-granting institution;

- (g) four persons elected by the members appointed or elected under clauses *b, c, d, e* and *f*; and
- (h) such Vice-Presidents as are appointed to the Board by the members appointed under clauses *b, c, d, e, f* and *g*, which appointments may be terminated at any time.

Failure to
elect or
appoint

(2) The failure of any of the foregoing bodies to elect or appoint a member does not invalidate the composition of the Board, and, where a default continues for three months after an election or appointment should have been made, the remaining members of the Board may, but shall not be obliged to, elect a member to fill the vacancy.

Term of
office

12. Except with respect to *ex officio* members and members elected or appointed to fill a vacancy as provided in section 15, each member shall hold office for four years, shall be eligible for re-appointment or re-election, as the case may be, for two further terms of office, and shall hold office until his successor is elected or appointed.

Eligibility

13.—(1) No person is eligible for appointment or election to the Board whose customary place of residence is not within Ontario, or who has attained the age of 70 years.

Idem

(2) Except as otherwise provided in this Act, no member of the governing body, administration, Faculty or student body or any other degree-granting institution is eligible for appointment or election as a member of the Board.

Membership
vacated

14.—(1) Where a member of the Board during his term of office ceases to be eligible for appointment or election to the Board under section 11 or 13 or becomes mentally incapacitated or otherwise incapable of acting as a member, the Board by resolution shall declare his membership vacant.

Meetings

(2) Where, within any fiscal year of the University, a member of the Board not having been granted leave of absence by the Board attends less than 50 per cent of the regular meetings of the Board, the Board by resolution may declare his membership vacant.

Idem

(3) Where, within any fiscal year of the University, a member of the Board not having been granted leave of absence by the Board attends less than 25 per cent of the meetings of the Board, the Board by resolution shall declare his membership vacant.

Proof

(4) A resolution declaring a vacancy, entered in the minutes of the Board, is conclusive evidence of the vacancy.

15. Where a vacancy on the Board occurs before the term of office for which a person has been appointed or elected has expired, the vacancy may be filled in the same manner and by the same authority as the person whose membership is vacant was appointed or elected, and the person so appointed or elected shall hold office for the remainder of the term of office of the person whose membership is vacant, except that, in the case of an election of a person to fill a vacancy in those members elected under clause g of subsection 1 of section 11, all members elected pursuant to such clause who remain in office are entitled to vote. ^{Filling vacancies}

16.—(1) The Board shall elect one of its members to be chairman and one of its members to be vice-chairman, and, in the case of the absence or illness of the chairman or of there being a vacancy in the office of chairman, the vice-chairman shall act as and have all the powers of the chairman. ^{Chairman and vice-chairman}

(2) Where the chairman and vice-chairman are absent or ill, the Board may appoint one of its members to act as chairman for the time being and the member so appointed shall act as and have all the powers of the chairman. ^{Absence}

17. A quorum of the Board consists of eight members, not including *ex officio* members. ^{Quorum}

18. Notwithstanding any vacancy, so long as there are at least twelve members, not including *ex officio* members, the Board may exercise any of its powers. ^{Exercise of powers}

19. A member of the Board who is in any way interested in a proposed contract with the University shall declare his interest at any meeting of the Board at which the proposed contract is considered, shall withdraw from the meeting during any discussion of such contract and shall not vote thereon. ^{Interest in work of the Board}

20. Except in such matters as are assigned by this Act to the Senate or other body, the government, conduct and management and control of the University and of its property and affairs are vested in the Board, and the Board may do such things as it considers necessary or convenient to advance the interests of the University. ^{Management of the University}

21. Without limiting the generality of section 20, the Board may, ^{Powers of the Board}

- (a) appoint the President and Vice-Chancellor, but before so acting the Board shall request a recommendation from a committee, to be convened by the

chairman of the Board, composed of five members of the Board to be named by it, and five members of the Faculty to be named by the Senate, which committee shall appoint its own chairman and determine its own procedure, and any recommendation of the committee shall be made in writing signed by at least eight members and delivered to the Board within nine months of the date on which the Board names five members to the committee or the date on which the Board requests the Senate to name five members to the committee, whichever date is later, and, failing a recommendation within that period, the Board may appoint the President;

- (b) on the recommendation of the President, appoint as many Vice-Presidents as the Board and the Senate may consider necessary, the heads of all academic units within the University, the Librarian, the Registrar, the professors and all other members of the academic staff of the University, but all such appointments made by the Board shall be in accordance with the policies and procedures made by the Senate;
- (c) appoint all other employees the Board may consider necessary;
- (d) fix and provide for the remuneration, tenure of office or employment, retirement and superannuation, or other conditions of employment of the persons mentioned in clauses *a*, *b* and *c*, which employment, in the absence of contract or policy of tenure, shall be at the pleasure of the Board, and determine their functions, duties and powers, but the policies and procedures followed in respect of the appointment of persons under clause *b* shall be adopted and promulgated after consultation with the Senate, and such other bodies within the University as may be appropriate;
- (e) expend such sums as may be required for the purposes of funds that are established for the payment of gratuities, retirement allowances, pensions, life insurance or other insurance, including health insurance, for the benefit of the persons mentioned in clauses *a*, *b* and *c*;
- (f) make regulations pertaining to the meetings of the Board and its transactions, create committees to exercise any of its powers and delegate authority to individuals or committees created by it;
- (g) appoint by resolution a member or members of the Board or any other person or persons to execute on

behalf of the Board either documents and other instruments in writing generally or specific documents and other instruments in writing and to affix the corporate seal of the Board thereto;

- (h) fix the fees to be paid for instruction under the control of the University, for all ancillary activities and for examinations, degrees, diplomas and certificates;
- (i) provide such means for health service and health examination for the students of the University as the Board may see fit;
- (j) expend such sums as the Board considers necessary for the support and maintenance of the University and for the betterment of existing buildings and for the furnishing and equipment of existing and newly erected buildings and, having first requested the advice of the Senate, for the erection of such new buildings as the Board considers necessary for the use or purposes of the University;
- (k) subject to the limitations imposed by any trust, invest all such money as shall come to the University in such manner as the Board may see fit;
- (l) borrow from time to time such sums of money as may be required for the use of the University, and give such security against the assets of the University by way of mortgage or otherwise as the Board may determine;
- (m) apply for, purchase and otherwise deal with inventions, trademarks, trade names, copyright or similar rights or interests therein in any manner that the Board considers necessary for the proper running of the University; and
- (n) pass resolutions and make recommendations to the Senate with respect to any matter connected with the administration of the University and the promotion of its affairs, but this power shall not be interpreted as subtracting from the powers and duties conferred on the Senate by this Act.

22. On the recommendation of the Senate, the Board may, *Idem*

- (a) establish such faculties, schools, departments, chairs and courses of instruction in any subject in the University or elsewhere as the Board may determine, but the Senate shall determine the curricula of all courses of instruction;
- (b) enter into agreements for the founding or establishment of chairs, scholarships, fellowships, prizes, bursaries and other awards;

- (c) provide for the affiliation with the University of any college in Ontario offering courses leading to a degree and established for teaching any branch of learning on such terms as the Board may determine, and enter into any agreement that the Board may consider necessary to effectuate affiliation, and in order to preserve the undenominational nature of the University no more than two colleges of the same denominational control shall be affiliated with the University at the same time, and no college affiliated with the University shall be affiliated with or have affiliated with it any other college, school or institute of higher learning without specific permission in writing by the Board;
- (d) provide for the dissolution, modification or alteration of the terms of any affiliation; and
- (e) provide for the government and control of residences operated and maintained by the University.

Authentica-
tion of
by-laws, etc.

23. Except as otherwise provided in this Act, the Board may act by resolution or by-law authenticated in a manner prescribed by the Board.

Audit of
accounts

24.—(1) The Board shall appoint an auditor or auditors to audit the accounts of the Board at least once a year.

Annual
report

(2) The Board shall make an annual financial report to the Lieutenant Governor in Council in such form as the Lieutenant Governor in Council may require.

Actions
against
Board

25. Except with the written consent of the Minister of Justice and Attorney General, no action shall be brought against the Board or against any member of it on account of anything done or omitted by him in the execution of his office.

Questions
as to
powers

26. Where any question arises as to the powers or duties of the President and Vice-Chancellor, Vice-Presidents, Faculty or any senior administrative officer of the University, after consultation with the Senate, it shall be settled and determined in accordance with this Act, by the Board, whose decision is final.

SENATE

Senate, how
composed

27.—(1) There shall be a Senate of the University composed of,

- (a) the following *ex officio* members,

- (i) the Chancellor,
- (ii) the Vice-Chancellor,
- (iii) such Vice-Presidents of the University as the Board and the Senate may determine,
- (iv) the Deans of the academic units of the University,
- (v) the Director of Summer School and Extension,
- (vi) the Librarian, and
- (vii) the Registrar, who shall be Secretary of the Senate,

of whom the Chancellor, the Vice-Presidents, the Director of Summer School and Extension, the Registrar and the Librarian shall be non-voting members;

(b) members elected, in the following numbers,

- (i) Faculty of Arts and Science,
 - 1. Humanities Division—three members,
 - 2. Social Sciences Division—three members,
 - 3. Natural Sciences Division—three members,
 - 4. College of Music—one member,
- (ii) School of Business Administration—two members,
- (iii) Faculty of Dentistry—one member,
- (iv) Althouse College of Education—one member,
- (v) Faculty of Engineering Science—two members,
- (vi) Faculty of Graduate Studies—ten members,
- (vii) Faculty of Law—one member,
- (viii) School of Library and Informational Sciences—one member,
- (ix) Faculty of Medicine—three members,
- (x) School of Nursing—one member, and

(xi) any other college that may hereafter be established within the University and that offers courses leading to a degree—one member;

(c) two members of the Board selected by the Board in such manner as from time to time it may establish;

(d) two members from each affiliated college, one of whom shall be the academic head of that college and the other elected as provided in section 28;

(e) three students of the University, being two from the undergraduate student body and one from the graduate student body, elected in such manner and for such term as the Senate from time to time may establish; and

(f) six persons from the general community, selected by the Senate in such manner as it from time to time may establish, of whom one shall be either the President of or appointed by the Alumni Association of the University and one shall be active in or associated with the field of Secondary School education and of whom not fewer than four persons shall be alumni of the University.

Regulation
to vary
number of
members

(2) Upon an application by the Senate approved by at least two-thirds of the members of Senate, the Lieutenant Governor in Council may make regulations varying the number of members set out in clause *b* of subsection 1.

Officers

(3) The Vice-Chancellor shall be the chairman of the Senate, and a vice-chairman shall be elected from among its members in such manner as the Senate may establish.

Election of
members

28.—(1) The election of a representative under clause *b* or *d* of subsection 1 of section 27 shall be by secret ballot of the members of the academic unit to be represented who hold an appointment of Assistant Professor or higher.

Idem

(2) No person is eligible for election to the Senate under clause *b* or *d* of subsection 1 of section 27 unless he is a member of the academic unit to be represented, holds the rank of Assistant Professor or higher and has held an academic appointment at the University for two years.

Disputes

(3) Where a dispute arises as to who is eligible to vote under subsection 1 or to hold office under subsection 2, the Senate shall determine the dispute and its decision is final.

(4) Except as otherwise provided in this Act, a member of the Senate, other than an *ex officio* member, shall hold office for a term of two years and is not eligible to be elected for more than two consecutive terms, but is eligible for re-election after a lapse of two years after the expiration of the second of two consecutive terms. ^{Term of office}

(5) Where an academic unit has more than one elected representative, the terms of office of such representatives shall be staggered in such manner as the Senate may from time to time prescribe. ^{Idem}

29.—(1) Where an elected or appointed member of the Senate resigns, becomes mentally incapacitated or otherwise incapable of acting or ceases to possess the qualifications set out in sections 27 and 28, the Senate shall by resolution declare his membership vacant. ^{Vacating office}

(2) Where within any year a member of the Senate not having been granted leave of absence by the Senate attends less than 50 per cent of the regular meetings of the Senate, the Senate may by resolution declare his membership vacant. ^{Idem}

(3) Where within any year a member of the Senate not having been granted leave of absence by the Senate attends less than 25 per cent of the regular meetings of the Senate, the Senate shall by resolution declare his membership vacant. ^{Idem}

(4) Where any member of the Senate is granted leave of absence by the Senate, provision shall be made for an alternate member who, during such leave of absence, shall have all the powers of a member of the Senate. ^{Alternates}

(5) A resolution passed under this section entered into the minutes of the Senate shall be conclusive evidence of the vacancy declared therein. ^{Resolution final}

30. Where a vacancy on the Senate occurs before the term of office for which a member has been appointed or elected has expired, the vacancy shall be filled in the same manner and by the same authority as the member whose membership is vacant was appointed or elected, and the member so appointed or elected shall hold office for the remainder of the term of office of the member whose membership is vacant. ^{Filling vacancies}

31.—(1) The Senate shall meet at least four times a year and at such other times as the Senate from time to time may prescribe. ^{Meetings of the Senate}

Special
meetings

(2) A special meeting of the Senate shall be called on the written notice of any seven Senators, and shall be convened within fifteen days thereafter, to consider the matter or matters set out in the notice.

Duties of
Senate

32. The Senate is responsible for the academic policy of the University and, without limiting the generality of the foregoing, the Senate shall,

- (a) create faculty councils or committees and committees generally to exercise any of its powers and shall approve their form and method of operation;
- (b) determine all courses of study, including standards for admission into the University and qualifications for degrees;
- (c) conduct examinations, appoint examiners, and decide finally all matters relating thereto;
- (d) deal with matters arising in connection with the award of fellowships, scholarships, medals, prizes and other awards;
- (e) provide for the convening and conduct of convocations;
- (f) confer honorary degrees in divinity without fee upon the recommendation of any theological college affiliated with the University;
- (g) establish and recommend to the Board policies and procedures to be followed in the selection, appointment, promotion and termination of appointment of the members of the Faculty, as well as the conditions under which tenure and sabbatical leave are granted;
- (h) in collaboration with the Board create a committee to make recommendations respecting the appointment of the President and Vice-Chancellor as provided in clause *a* of section 21 and shall be consulted before the termination of any appointment so made; and
- (i) make recommendations and give advice to the Board on the matters mentioned in clause *b* of section 21 and section 22.

Idem

33. The Senate may,

- (a) confer degrees, diplomas and certificates in any subject taught in the University or in theology as taught in any of the affiliated colleges;

- (b) confer honorary degrees in any department of learning;
- (c) provide by-laws and regulations for the conduct of its proceedings including the determination of a quorum necessary for the transaction of business;
- (d) establish such committees as the Senate considers necessary, including an executive committee that may act in the name and on behalf of the Senate between regular meetings of the Senate;
- (e) inquire into and publish reports upon any matter that affects the academic reputation or effectiveness of the University; and
- (f) pass resolutions and make recommendations to the Board with respect to any matter connected with the administration of the University and the promotion of its affairs, but this clause shall not be construed to subtract from the powers and duties conferred on the Board elsewhere in this Act.

THE ASSEMBLY OF THE UNIVERSITY

34.—(1) There shall be an advisory body called “The ^{Assembly of the} University” composed as follows,

- (a) the Chancellor;
- (b) the Vice-Chancellor, who shall be the chairman of the Assembly;
- (c) the chairman of the Board and four members of the Board chosen by it;
- (d) five members chosen by the Senate;
- (e) the Vice-Presidents, and the Registrar who shall be the Secretary of the Assembly;
- (f) the Deans of all faculties of the University;
- (g) the academic head and two members from each affiliated college;
- (h) ten members chosen by the University Students’ Council, two members chosen by the Society of Graduate Students and one member chosen by the Masters of Business Administration Association;
- (i) the chairman of the Alumni Association and his executive;
- (j) five members chosen by the City of London, two members chosen by the Board of Education of the City of London, and one member chosen by the Separate School Board of the City of London;

- (*k*) the Warden, or one member of the county council to be chosen by it, of each of the counties named in section 6;
- (*l*) one member of the municipal council of each city, other than the City of London, in the counties named in section 6;
- (*m*) ten members chosen by the Secondary School Headmasters Association;
- (*n*) one member chosen from each of the Colleges of Applied Arts and Technology in the counties named in section 6;
- (*o*) the Members of Parliament representing the ridings of Middlesex and London;
- (*p*) the Members of the Legislative Assembly representing the ridings of London and Middlesex and the ridings abutting those ridings;
- (*q*) ten members at large appointed by the Board and ten members at large appointed by the Senate; and
- (*r*) such other persons as the Board and the Senate may by joint action appoint.

Term of
office

(2) Each member, other than *ex officio* members, shall hold office for such term as the Assembly may from time to time determine.

Meetings of
Assembly

(3) The President shall convene the Assembly at least once in each academic year to receive and discuss reports from the Vice-Chancellor and from the chairman of the Board concerning the state and aims of the University, to discuss any matter affecting the University and at the request of the Board or of the Senate to advise thereon, and to provide by its meetings a forum whereby liaison between the University and the public may be established and promoted in the furtherance of the University's academic aims and purposes.

UNIVERSITY LIAISON COMMITTEE

University
Liaison
Committee

35.—(1) There shall be a body called the University Liaison Committee composed of such equal number of representatives from the Board, Senate and student body as the Board may from time to time determine, such members to be appointed or selected in such manner as shall be determined by the body which they respectively represent.

(2) The Committee shall meet at the call of the President ^{Meetings of Committee} at least every second month during the months of September to May inclusive, or at the request of the majority of the representatives of any two constituent bodies, to facilitate liaison on matters of mutual interest.

CHANCELLOR

36.—(1) There shall be a Chancellor of the University ^{Chancellor, election of} who shall be elected by an electoral board consisting of,

- (a) six members, except *ex officio* members, of the Board, including the chairman of the Board; and
- (b) six members of the Senate, including the Vice-Chancellor.

(2) Eight members of the electoral board, including the ^{Quorum} chairman of the Board and the Vice-Chancellor, constitute a quorum.

(3) No person shall occupy the office of Chancellor who is ^{Who ineligible} a member of the teaching or administrative staff, or who is an employee of the University or of any affiliated college, or who at the time of his election is a member of the Board or of the governing body of any affiliated college.

37. The term of office of the Chancellor shall be for four ^{Term of office} years commencing with the 1st day of July of the year in which he is elected and continuing until his successor is elected, but in any event not longer than six months after the expiration of his term of office, and no Chancellor shall be eligible for re-election.

38. Where a vacancy in the office of Chancellor occurs, the ^{Vacancy in office} vacancy shall be filled by the election of a successor in the manner set out in section 36, and such successor shall hold office for four years terminating on the 30th day of June in the fourth year after his election, and no successor shall be eligible for re-election.

39.—(1) Where the Chancellor ceases to be eligible for ^{Where Chancellor becomes ineligible} such office or becomes mentally incapacitated or otherwise incapable of acting, he shall vacate his office.

(2) A declaration of the existence of a vacancy in the office ^{Evidence of vacancy} of Chancellor by the Senate and the Board entered in the minutes of the Senate and the Board is conclusive evidence of the vacancy.

Duties

40. The Chancellor shall preside at all convocations and by virtue of the authority vested in him by the Senate shall admit to degrees, diplomas and certificates such candidates, including the recipients of honorary degrees, as may be requested by the Senate.

VICE-CHANCELLOR

Vice-Chancellor

41.—(1) There shall be a Vice-Chancellor of the University who shall be the President of the University.

(2) The Vice-Chancellor and President shall be the chief executive officer of the University and shall call a meeting of and report to the Faculty not less than once in each academic year.

Vice-Chancellor to act in absence of Chancellor

(3) In the absence of the Chancellor or there being a vacancy in the office, the Vice-Chancellor or a member of the Faculty appointed by him shall act as Chancellor at Convocation.

Absence of Chancellor and Vice-Chancellor

(4) In the absence of both Chancellor and Vice-Chancellor or if both offices are vacant, the Chancellor's duties shall be performed by a member of the Faculty appointed by the Senate for the purpose.

OFFICIAL VISITOR

Official Visitor

42. His Honour the Lieutenant Governor of the Province of Ontario is the Official Visitor of the University.

GENERAL

Review

43. The Board and the Senate shall review this Act within five years from the date of its enactment.

Former members continue until new Board and Senate constituted

44. The members of the Board and the Senate holding office immediately before this Act comes into force shall continue to hold office and constitute the Board and the Senate under this Act until the members of the Board and Senate are elected or appointed in accordance with this Act.

Repeal

45. *The University of Western Ontario Act, 1955* is repealed.

Commencement

46. This Act comes into force on the day it receives Royal Assent.

Short title

47. This Act may be cited as *The University of Western Ontario Act, 1967*.

An Act respecting
The University of Western Ontario

1st Reading

February 13th, 1967

2nd Reading

3rd Reading

MR. WHITE

(Private Bill)

BILL Pr31

5TH SESSION, 27TH LEGISLATURE, ONTARIO
15-16 ELIZABETH II, 1967

An Act respecting The University of Western Ontario

MR. WHITE

(Reprinted as amended by the Committee on Private Bills)

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An Act respecting The University of Western Ontario

WHEREAS The University of Western Ontario by its ^{Preamble} petition has prayed for special legislation varying the provisions of its Act of incorporation in relation to its organization, government and administration; and whereas it is expedient to grant the prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. In this Act,

Inter-
pretation

- (a) "Board" means The Board of Governors of The University of Western Ontario;
- (b) "college" means a school, college or faculty or other institution of higher learning offering courses leading to a degree;
- (c) "Faculty" means full-time members of the academic staff of the University including the Vice-Chancellor and academic Deans, and such of the part-time academic staff of the University as the Senate may from time to time determine;
- (d) "property" means all property, both real and personal;
- (e) "real property" means messuages, lands, tenements and hereditaments, whether corporeal or incorporeal, and any undivided share thereof and any estate or interest therein;
- (f) "Senate" means the Senate of the University of Western Ontario;
- (g) "student body" means those persons who are at the pertinent time enrolled as full-time students in any programme leading to a degree in any of the colleges of the University, but does not include students of an affiliate of the University;

- (h) "University" means The University of Western Ontario, but does not include any college affiliated with the University.

University
continued

2. The University, commonly known as "Western", the Board and the Senate and the statutes and regulations of, appointments in and affiliation of colleges with, the University, existing at the time this Act comes into force, are and each of them is hereby continued, subject to this Act.

Religious
tests not
required

3. The government, management and control of the University shall continue to be undenominational and no religious test shall be required of any officer, member of the teaching staff, employee or student of the University, nor shall any religious observances be imposed on him.

Proceedings
by or against
University

4. All proceedings by or against the University may be had and taken in the name of "The University of Western Ontario".

GRANTS

Grants by
City of
London

5. The City of London may grant annually or from time to time to the University such sum as the City and the University may agree upon, without obtaining the assent of the electors qualified to vote on money by-laws for such grant, except that any grant exceeding in any one year \$1 per capita of population as determined by the last yearly census as returned to the clerk by the assessment commissioner shall first receive the assent of the electors.

Grants by
counties

6. The county council of any of the counties of Essex, Kent, Elgin, Norfolk, Lambton, Middlesex, Oxford, Brant, Huron, Bruce, Grey, Perth, Wellington, and Waterloo, or the council of any municipality in such counties other than the City of London, may make grants to the Board for the use of the University without obtaining the assent of the electors qualified to vote on money by-laws for such grant, except that any grant in excess of \$20,000 in any one year shall first receive the assent of the electors.

PROPERTY

Property in
trust vested
in Board

7. All property heretofore or hereafter granted, conveyed, devised or bequeathed by any person, firm or corporation in trust for or for the benefit of the University or of any faculty, school or department thereof or otherwise in connection therewith, subject to the trust affecting the same, vests in the Board.

8. All real property vested in the Board shall, as far as the application of any statute of limitations is concerned, including any statute limiting or defining the period for the investigation of titles, be deemed to have been and to be real property vested in the Crown for the public use of the Province of Ontario.

9. Real property vested in the Board shall not be liable to be entered upon, used or taken by any corporation except a municipal corporation or by any person possessing the right of taking land compulsorily for any purpose and no power to expropriate real property hereafter conferred shall extend to such real property unless the Act conferring the power applies thereto in express terms.

THE BOARD OF GOVERNORS

10. The Board of Governors of the University is hereby continued as a body corporate by the name and style of "The Board of Governors, The University of Western Ontario".

11.—(1) The Board shall consist of,

- (a) the President of the University, the Mayor of the City of London, the Warden of the County of Middlesex, and the Chancellor of the University, who shall be *ex officio* members;
- (b) four persons appointed by the council of the City of London;
- (c) four persons appointed by the Lieutenant Governor in Council;
- (d) two persons appointed or elected by the Alumni Association of the University;
- (e) four members of the Faculty who are or have been members of the Senate elected by the Senate;
- (f) one member elected by the student body in a manner to be determined by the University Students' Council in consultation with the Society of Graduate Students.
- (g) four persons elected by the members appointed or elected under clauses *b, c, d, e* and *f*; and
- (h) such Vice-Presidents as are appointed to the Board by the members appointed under clauses *b, c, d, e, f* and *g*, which appointments may be terminated at any time.

Failure to
elect or
appoint

(2) The failure of any of the foregoing bodies to elect or appoint a member does not invalidate the composition of the Board, and, where a default continues for three months after an election or appointment should have been made, the remaining members of the Board may, but shall not be obliged to, elect a member to fill the vacancy.

Term of
office

12. Except with respect to *ex officio* members and members elected or appointed to fill a vacancy as provided in section 15, each member shall hold office for four years, shall be eligible for re-appointment or re-election, as the case may be, for two further terms of office, and shall hold office until his successor is elected or appointed.

Eligibility

13.—(1) No person is eligible for appointment or election to the Board whose customary place of residence is not within Ontario.

Idem

(2) Except as otherwise provided in this Act, no member of the governing body, administration, Faculty or student body of the University or of any other degree-granting institution is eligible for appointment or election as a member of the Board.

Membership
vacated

14.—(1) Where a member of the Board during his term of office ceases to be eligible for appointment or election to the Board under section 11 or 13 or becomes mentally incapacitated or otherwise incapable of acting as a member, the Board by resolution shall declare his membership vacant.

Meetings

(2) Where, within any fiscal year of the University, a member of the Board not having been granted leave of absence by the Board attends less than 50 per cent of the regular meetings of the Board, the Board by resolution may declare his membership vacant.

Idem

(3) Where, within any fiscal year of the University, a member of the Board not having been granted leave of absence by the Board attends less than 25 per cent of the meetings of the Board, the Board by resolution shall declare his membership vacant.

Proof

(4) A resolution declaring a vacancy, entered in the minutes of the Board, is conclusive evidence of the vacancy.

Filling
vacancies

15. Where a vacancy on the Board occurs before the term of office for which a person has been appointed or elected has expired, the vacancy may be filled in the same manner and by the same authority as the person whose membership is vacant was appointed or elected, and the person so appointed

or elected shall hold office for the remainder of the term of office of the person whose membership is vacant, except that, in the case of an election of a person to fill a vacancy in those members elected under clause g of subsection 1 of section 11, all members elected pursuant to such clause who remain in office are entitled to vote.

16.—(1) The Board shall elect one of its members to be chairman and one of its members to be vice-chairman, and, in the case of the absence or illness of the chairman or of there being a vacancy in the office of chairman, the vice-chairman shall act as and have all the powers of the chairman.

(2) Where the chairman and vice-chairman are absent or ill, the Board may appoint one of its members to act as chairman for the time being and the member so appointed shall act as and have all the powers of the chairman.

17. A quorum of the Board consists of eight members, not including *ex officio* members.

18. Notwithstanding any vacancy, so long as there are at least twelve members, not including *ex officio* members, the Board may exercise any of its powers.

19. A member of the Board who is in any way interested in a proposed contract with the University shall declare his interest at any meeting of the Board at which the proposed contract is considered, shall withdraw from the meeting during any discussion of such contract and shall not vote thereon.

20. Except in such matters as are assigned by this Act to the Senate or other body, the government, conduct and management and control of the University and of its property and affairs are vested in the Board, and the Board may do such things as it considers necessary or convenient to advance the interests of the University.

21. Without limiting the generality of section 20, the Board may,

- (a) appoint the President and Vice-Chancellor, but before so acting the Board shall request a recommendation from a committee, to be convened by the chairman of the Board, composed of five members of the Board to be named by it, and five members of the Faculty to be named by the Senate, which committee shall appoint its own chairman and determine its own procedure, and any recommendation of the committee shall be made in writing

signed by at least eight members and delivered to the Board within nine months of the date on which the Board names five members to the committee or the date on which the Board requests the Senate to name five members to the committee, whichever date is later, and, failing a recommendation within that period, the Board may appoint the President;

- (b) on the recommendation of the President, appoint as many Vice-Presidents as the Board and the Senate may consider necessary, the heads of all academic units within the University, the Librarian, the Registrar, the professors and all other members of the academic staff of the University, but all such appointments made by the Board shall be in accordance with the policies and procedures made by the Senate;
- (c) appoint all other employees the Board may consider necessary;
- (d) fix and provide for the remuneration, tenure of office or employment, retirement and superannuation, or other conditions of employment of the persons mentioned in clauses *a*, *b* and *c*, which employment, in the absence of contract or policy of tenure, shall be at the pleasure of the Board, in the absence of contract or policy of tenure and determine their functions, duties and powers, but the policies and procedures followed in respect of the appointment of persons under clause *b* shall be adopted and promulgated after consultation with the Senate, and such other bodies within the University as may be appropriate;
- (e) expend such sums as may be required for the purposes of funds that are established for the payment of gratuities, retirement allowances, pensions, life insurance or other insurance, including health insurance, for the benefit of the persons mentioned in clauses *a*, *b* and *c*;
- (f) make regulations pertaining to the meetings of the Board and its transactions, create committees to exercise any of its powers and delegate authority to individuals or committees created by it;
- (g) appoint by resolution a member or members of the Board or any other person or persons to execute on behalf of the Board either documents and other instruments in writing generally or specific documents and other instruments in writing and to affix the corporate seal of the Board thereto;

- (h) fix the fees to be paid for instruction under the control of the University, for all ancillary activities and for examinations, degrees, diplomas and certificates;
- (i) provide such means for health service and health examination for the students of the University as the Board may see fit;
- (j) expend such sums as the Board considers necessary for the support and maintenance of the University and for the betterment of existing buildings and for the furnishing and equipment of existing and newly erected buildings and, having first requested the advice of the Senate, for the erection of such new buildings as the Board considers necessary for the use or purposes of the University;
- (k) subject to the limitations imposed by any trust, invest all such money as shall come to the University in such manner as the Board may see fit;
- (l) borrow from time to time such sums of money as may be required for the use of the University, and give such security against the assets of the University by way of mortgage or otherwise as the Board may determine;
- (m) apply for, purchase and otherwise deal with inventions, trademarks, trade names, copyright or similar rights or interests therein in any manner that the Board considers necessary for the proper running of the University; and
- (n) pass resolutions and make recommendations to the Senate with respect to any matter connected with the administration of the University and the promotion of its affairs, but this power shall not be interpreted as subtracting from the powers and duties conferred on the Senate by this Act.

22. On the recommendation of the Senate, the Board may, *Idem*

- (a) establish such faculties, schools, departments, chairs and courses of instruction in any subject in the University or elsewhere as the Board may determine, but the Senate shall determine the curricula of all courses of instruction;
- (b) enter into agreements for the founding or establishment of chairs, scholarships, fellowships, prizes, bursaries and other awards;

- (c) provide for the affiliation with the University of any college in Ontario offering courses leading to a degree and established for teaching any branch of learning on such terms as the Board may determine, and enter into any agreement that the Board may consider necessary to effectuate affiliation, and in order to preserve the undenominational nature of the University no more than two colleges of the same denominational control shall be affiliated with the University at the same time, and no college affiliated with the University shall be affiliated with or have affiliated with it any other college, school or institute of higher learning without specific permission in writing by the Board;
- (d) provide for the dissolution, modification or alteration of the terms of any affiliation; and
- (e) provide for the government and control of residences operated and maintained by the University.

Authentica-
tion of
by-laws, etc.

23. Except as otherwise provided in this Act, the Board may act by resolution or by-law authenticated in a manner prescribed by the Board.

Audit of
accounts

24.—(1) The Board shall appoint an auditor or auditors to audit the accounts of the Board and the accounts of other agencies and organizations to which the Board grants money at least once a year.

Annual
report

(2) The Board shall make an annual financial report to the Lieutenant Governor in Council in such form as the Lieutenant Governor in Council may require, and the Provincial Secretary shall lay the report before the Assembly if it is in session or, if not, at the next ensuing session.

Questions
as to
powers

25. Where any question arises as to the powers or duties of the President and Vice-Chancellor, Vice-Presidents, Faculty or any senior administrative officer of the University, after consultation with the Senate, it shall be settled and determined in accordance with this Act, by the Board, whose decision is final.

SENATE

Senate, how
composed

26.—(1) There shall be a Senate of the University composed of,

- (a) the following *ex officio* members,
 - (i) the Chancellor,

- (ii) the Vice-Chancellor,
- (iii) such Vice-Presidents of the University as the Board and the Senate may determine,
- (iv) the Deans of the academic units of the University,
- (v) the Director of Summer School and Extension,
- (vi) the Librarian, and
- (vii) the Registrar, who shall be Secretary of the Senate,

of whom the Chancellor, the Vice-Presidents, the Director of Summer School and Extension, the Registrar and the Librarian shall be non-voting members;

(b) members elected, in the following numbers,

- (i) Faculty of Arts and Science,
 - 1. Humanities Division—three members,
 - 2. Social Sciences Division—three members,
 - 3. Natural Sciences Division—three members,
 - 4. College of Music—one member,
- (ii) School of Business Administration—two members,
- (iii) Faculty of Dentistry—one member,
- (iv) Althouse College of Education—one member,
- (v) Faculty of Engineering Science—two members,
- (vi) Faculty of Graduate Studies—ten members,
- (vii) Faculty of Law—one member,
- (viii) School of Library and Informational Sciences—one member,
- (ix) Faculty of Medicine—three members,
- (x) School of Nursing—one member, and

(xi) any other college that may hereafter be established within the University and that offers courses leading to a degree—one member;

(c) two members of the Board selected by the Board in such manner as from time to time it may establish;

(d) two members from each affiliated college, one of whom shall be the academic head of that college and the other elected as provided in section 27;

(e) three students of the University, being two from the undergraduate student body and one from the graduate student body, elected in such manner and for such term as the Senate from time to time may establish; and

(f) six persons from the general community, selected by the Senate in such manner as it from time to time may establish, of whom one shall be either the President of or appointed by the Alumni Association of the University and one shall be active in or associated with the field of Secondary School education and of whom not fewer than four persons shall be alumni of the University.

Regulation
to vary
number of
members

(2) Upon an application by the Senate approved by at least two-thirds of the members of Senate, the Lieutenant Governor in Council may make regulations varying the number of members set out in clause *b* of subsection 1.

Officers

(3) The Vice-Chancellor shall be the chairman of the Senate, and a vice-chairman shall be elected from among its members in such manner as the Senate may establish.

Election of
members

27.—(1) The election of a representative under clause *b* or *d* of subsection 1 of section 26 shall be by secret ballot of the members of the academic unit to be represented who hold an appointment of Assistant Professor or higher.

Idem

(2) No person is eligible for election to the Senate under clause *b* or *d* of subsection 1 of section 26 unless he is a member of the academic unit to be represented, holds the rank of Assistant Professor or higher and has held an academic appointment at the University for two years.

Disputes

(3) Where a dispute arises as to who is eligible to vote under subsection 1 or to hold office under subsection 2, the Senate shall determine the dispute and its decision is final.

(4) Except as otherwise provided in this Act, a member of the Senate, other than an *ex officio* member, shall hold office for a term of two years and is not eligible to be elected for more than two consecutive terms, but is eligible for re-election after a lapse of two years after the expiration of the second of two consecutive terms. ^{Term of office}

(5) Where an academic unit has more than one elected representative, the terms of office of such representatives shall be staggered in such manner as the Senate may from time to time prescribe. ^{Idem}

28.—(1) Where an elected or appointed member of the Senate resigns, becomes mentally incapacitated or otherwise incapable of acting or ceases to possess the qualifications set out in sections 26 and 27, the Senate shall by resolution declare his membership vacant. ^{Vacating office}

(2) Where within any year a member of the Senate not having been granted leave of absence by the Senate attends less than 50 per cent of the regular meetings of the Senate, the Senate may by resolution declare his membership vacant. ^{Idem}

(3) Where within any year a member of the Senate not having been granted leave of absence by the Senate attends less than 25 per cent of the regular meetings of the Senate, the Senate shall by resolution declare his membership vacant. ^{Idem}

(4) Where any member of the Senate is granted leave of absence by the Senate, provision shall be made for an alternate member who, during such leave of absence, shall have all the powers of a member of the Senate. ^{Alternates}

(5) A resolution passed under this section entered into the minutes of the Senate shall be conclusive evidence of the vacancy declared therein. ^{Resolution final}

29. Where a vacancy on the Senate occurs before the term of office for which a member has been appointed or elected has expired, the vacancy shall be filled in the same manner and by the same authority as the member whose membership is vacant was appointed or elected, and the member so appointed or elected shall hold office for the remainder of the term of office of the member whose membership is vacant. ^{Filling vacancies}

30.—(1) The Senate shall meet at least four times a year and at such other times as the Senate from time to time may prescribe. ^{Meetings of the Senate}

Special
meetings

(2) A special meeting of the Senate shall be called on the written notice of any seven Senators, and shall be convened within fifteen days thereafter, to consider the matter or matters set out in the notice.

Duties of
Senate

31. The Senate is responsible for the academic policy of the University and, without limiting the generality of the foregoing, the Senate shall,

- (a) create faculty councils or committees and committees generally to exercise any of its powers and shall approve their form and method of operation;
- (b) determine all courses of study, including standards for admission into the University and qualifications for degrees;
- (c) conduct examinations, appoint examiners, and decide finally all matters relating thereto;
- (d) deal with matters arising in connection with the award of fellowships, scholarships, medals, prizes and other awards;
- (e) provide for the convening and conduct of convocations;
- (f) confer honorary degrees in divinity without fee upon the recommendation of any theological college affiliated with the University;
- (g) establish and recommend to the Board policies and procedures to be followed in the selection, appointment, promotion and termination of appointment of the members of the Faculty, as well as the conditions under which tenure and sabbatical leave are granted;
- (h) in collaboration with the Board create a committee to make recommendations respecting the appointment of the President and Vice-Chancellor as provided in clause *a* of section 21 and shall be consulted before the termination of any appointment so made; and
- (i) make recommendations and give advice to the Board on the matters mentioned in clause *b* of section 21 and section 22.

Idem

32. The Senate may,

- (a) confer degrees, diplomas and certificates in any subject taught in the University or in theology as taught in any of the affiliated colleges;

- (b) confer honorary degrees in any department of learning;
- (c) provide by-laws and regulations for the conduct of its proceedings including the determination of a quorum necessary for the transaction of business;
- (d) establish such committees as the Senate considers necessary, including an executive committee that may act in the name and on behalf of the Senate between regular meetings of the Senate;
- (e) inquire into and publish reports upon any matter that affects the academic reputation or effectiveness of the University; and
- (f) pass resolutions and make recommendations to the Board with respect to any matter connected with the administration of the University and the promotion of its affairs, but this clause shall not be construed to subtract from the powers and duties conferred on the Board elsewhere in this Act.

THE ASSEMBLY OF THE UNIVERSITY

33.—(1) There shall be an advisory body called “The ^{Assembly of the} University” composed as follows,

- (a) the Chancellor;
- (b) the Vice-Chancellor, who shall be the chairman of the Assembly;
- (c) the chairman of the Board and four members of the Board chosen by it;
- (d) five members chosen by the Senate;
- (e) the Vice-Presidents, and the Registrar who shall be the Secretary of the Assembly;
- (f) the Deans of all faculties of the University;
- (g) the academic head and two members from each affiliated college;
- (h) ten members chosen by the University Students’ Council, two members chosen by the Society of Graduate Students and one member chosen by the Masters of Business Administration Association;
- (i) the chairman of the Alumni Association and his executive;
- (j) five members chosen by the City of London, two members chosen by the Board of Education of the City of London, and one member chosen by the Separate School Board of the City of London;

- (*k*) the Warden, or one member of the county council to be chosen by it, of each of the counties named in section 6;
- (*l*) one member of the municipal council of each city, other than the City of London, in the counties named in section 6;
- (*m*) ten members chosen by the Secondary School Headmasters Association;
- (*n*) one member chosen from each of the Colleges of Applied Arts and Technology in the counties named in section 6;
- (*o*) the Members of Parliament representing the ridings of Middlesex and London;
- (*p*) the Members of the Legislative Assembly representing the ridings of London and Middlesex and the ridings abutting those ridings;
- (*q*) ten members at large appointed by the Board and ten members at large appointed by the Senate; and
- (*r*) such other persons as the Board and the Senate may by joint action appoint.

Term of
office

(2) Each member, other than *ex officio* members, shall hold office for such term as the Assembly may from time to time determine.

Meetings of
Assembly

(3) The President shall convene the Assembly at least once in each academic year to receive and discuss reports from the Vice-Chancellor and from the chairman of the Board concerning the state and aims of the University, to discuss any matter affecting the University and at the request of the Board or of the Senate to advise thereon, and to provide by its meetings a forum whereby liaison between the University and the public may be established and promoted in the furtherance of the University's academic aims and purposes.

UNIVERSITY LIAISON COMMITTEE

University
Liaison
Committee

34.—(1) There shall be a body called the University Liaison Committee composed of such equal number of representatives from the Board, Senate and student body as the Board may from time to time determine, such members to be appointed or selected in such manner as shall be determined by the body which they respectively represent.

(2) The Committee shall meet at the call of the President ^{Meetings of Committee} at least every second month during the months of September to May inclusive, or at the request of the majority of the representatives of any two constituent bodies, to facilitate liaison on matters of mutual interest.

CHANCELLOR

35.—(1) There shall be a Chancellor of the University ^{Chancellor, election of} who shall be elected by an electoral board consisting of,

- (a) six members, except *ex officio* members, of the Board, including the chairman of the Board; and
- (b) six members of the Senate, including the Vice-Chancellor.

(2) Eight members of the electoral board, including the ^{Quorum} chairman of the Board and the Vice-Chancellor, constitute a quorum.

(3) No person shall occupy the office of Chancellor who is ^{Who ineligible} a member of the teaching or administrative staff, or who is an employee of the University or of any affiliated college, or who at the time of his election is a member of the Board or of the governing body of any affiliated college.

36. The term of office of the Chancellor shall be for four ^{Term of office} years commencing with the 1st day of July of the year in which he is elected and continuing until his successor is elected, but in any event not longer than six months after the expiration of his term of office, and no Chancellor shall be eligible for re-election.

37. Where a vacancy in the office of Chancellor occurs, the ^{Vacancy in office} vacancy shall be filled by the election of a successor in the manner set out in section 35, and such successor shall hold office for four years terminating on the 30th day of June in the fourth year after his election, and no successor shall be eligible for re-election.

38.—(1) Where the Chancellor ceases to be eligible for ^{Where Chancellor becomes ineligible} such office or becomes mentally incapacitated or otherwise incapable of acting, he shall vacate his office.

(2) A declaration of the existence of a vacancy in the office ^{Evidence of vacancy} of Chancellor by the Senate and the Board entered in the minutes of the Senate and the Board is conclusive evidence of the vacancy.

Duties

39. The Chancellor shall preside at all convocations and by virtue of the authority vested in him by the Senate shall admit to degrees, diplomas and certificates such candidates, including the recipients of honorary degrees, as may be requested by the Senate.

VICE-CHANCELLOR

Vice-Chancellor

40.—(1) There shall be a Vice-Chancellor of the University who shall be the President of the University.

(2) The Vice-Chancellor and President shall be the chief executive officer of the University and shall call a meeting of and report to the Faculty not less than once in each academic year.

Vice-Chancellor to act in absence of Chancellor

(3) In the absence of the Chancellor or there being a vacancy in the office, the Vice-Chancellor or a member of the Faculty appointed by him shall act as Chancellor at Convocation.

Absence of Chancellor and Vice-Chancellor

(4) In the absence of both Chancellor and Vice-Chancellor or if both offices are vacant, the Chancellor's duties shall be performed by a member of the Faculty appointed by the Senate for the purpose.

OFFICIAL VISITOR

Official Visitor

41. His Honour the Lieutenant Governor of the Province of Ontario is the Official Visitor of the University.

GENERAL

Review

42. The Board and the Senate shall review this Act within five years from the date of its enactment.

Former members continue until new Board and Senate constituted

43. The members of the Board and the Senate holding office immediately before this Act comes into force shall continue to hold office and constitute the Board and the Senate under this Act until the members of the Board and Senate are elected or appointed in accordance with this Act.

Repeal

44. *The University of Western Ontario Act, 1955* is repealed.

Commencement

45. This Act comes into force on the day it receives Royal Assent.

Short title

46. This Act may be cited as *The University of Western Ontario Act, 1967*.

An Act respecting
The University of Western Ontario

1st Reading

February 13th, 1967

2nd Reading

3rd Reading

MR. WHITE

(Reprinted as amended by the
Committee on Private Bills)

BILL Pr31

5TH SESSION, 27TH LEGISLATURE, ONTARIO
15-16 ELIZABETH II, 1967

An Act respecting The University of Western Ontario

MR. WHITE

(Reprinted as amended by the Committee of the Whole House)

THE UNIVERSITY OF CHICAGO PRESS
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BILL Pr31 1967

An Act respecting The University of Western Ontario

WHEREAS The University of Western Ontario by its ^{Preamble} petition has prayed for special legislation varying the provisions of its Act of incorporation in relation to its organization, government and administration; and whereas it is expedient to grant the prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. In this Act, ^{Interpre-} ^{tation}

- (a) "Board" means The Board of Governors of The University of Western Ontario;
- (b) "college" means a school, college or faculty or other institution of higher learning offering courses leading to a degree;
- (c) "Faculty" means full-time members of the academic staff of the University including the Vice-Chancellor and academic Deans, and such of the part-time academic staff of the University as the Senate may from time to time determine;
- (d) "property" means all property, both real and personal;
- (e) "real property" means messuages, lands, tenements and hereditaments, whether corporeal or incorporeal, and any undivided share thereof and any estate or interest therein;
- (f) "Senate" means the Senate of the University of Western Ontario;
- (g) "student body" means those persons who are at the pertinent time enrolled as full-time students in any programme leading to a degree in any of the colleges of the University, but does not include students of an affiliate of the University;

(h) "University" means The University of Western Ontario, but does not include any college affiliated with the University.

University
continued

2. The University, commonly known as "Western", the Board and the Senate and the statutes and regulations of, appointments in and affiliation of colleges with, the University, existing at the time this Act comes into force, are and each of them is hereby continued, subject to this Act.

Religious
tests not
required

3. The government, management and control of the University shall continue to be undenominational and no religious test shall be required of any officer, member of the teaching staff, employee or student of the University, nor shall any religious observances be imposed on him.

Proceedings
by or against
University

4. All proceedings by or against the University may be had and taken in the name of "The University of Western Ontario".

GRANTS

Grants by
City of
London

5. The City of London may grant annually or from time to time to the University such sum as the City and the University may agree upon, without obtaining the assent of the electors qualified to vote on money by-laws for such grant, except that any grant exceeding in any one year \$1 per capita of population as determined by the last yearly census as returned to the clerk by the assessment commissioner shall first receive the assent of the electors.

Grants by
counties

6. The county council of any of the counties of Essex, Kent, Elgin, Norfolk, Lambton, Middlesex, Oxford, Brant, Huron, Bruce, Grey, Perth, Wellington, and Waterloo, or the council of any municipality in such counties other than the City of London, may make grants to the Board for the use of the University without obtaining the assent of the electors qualified to vote on money by-laws for such grant, except that any grant in excess of \$20,000 in any one year shall first receive the assent of the electors.

PROPERTY

Property in
trust vested
in Board

7. All property heretofore or hereafter granted, conveyed, devised or bequeathed by any person, firm or corporation in trust for or for the benefit of the University or of any faculty, school or department thereof or otherwise in connection therewith, subject to the trust affecting the same, vests in the Board.

Application
of statute of
limitations
to property

8. All real property vested in the Board shall, as far as the application of any statute of limitations is concerned, including any statute limiting or defining the period for the investi-

gation of titles, be deemed to have been and to be real property vested in the Crown for the public use of the Province of Ontario.

9. Real property vested in the Board shall not be liable to be entered upon, used or taken by any corporation except a municipal corporation or by any person possessing the right of taking land compulsorily for any purpose and no power to expropriate real property hereafter conferred shall extend to such real property unless the Act conferring the power applies thereto in express terms.

Land vested in Board not liable to expropriation

THE BOARD OF GOVERNORS

10. The Board of Governors of the University is hereby continued as a body corporate by the name and style of "The Board of Governors, The University of Western Ontario".

Board continued

11.—(1) The Board shall consist of,

Composition of Board

- (a) the President of the University, the Mayor of the City of London, the Warden of the County of Middlesex, and the Chancellor of the University, who shall be *ex officio* members;
- (b) four persons appointed by the council of the City of London;
- (c) four persons appointed by the Lieutenant Governor in Council;
- (d) two persons appointed or elected by the Alumni Association of the University;
- (e) four members of the Faculty who are or have been members of the Senate elected by the Senate;
- (f) one member elected by the student body in such manner and on such terms as the Board may determine, after consultation with the elected representatives of the student body, who shall be either the holder of a degree, which may include an honorary degree, from the University, or a former member of the Faculty, and such member shall not at the time of his election be or have been within the preceding twelve months a member of the student body or of any of its affiliates, but may be enrolled in a post-graduate course in any other degree-granting institution;
- (g) four persons elected by the members appointed or elected under clauses *b, c, d, e* and *f*; and

- (h) such Vice-Presidents as are appointed to the Board by the members appointed under clauses *b, c, d, e, f* and *g*, which appointments may be terminated at any time.
- Failure to elect or appoint** (2) The failure of any of the foregoing bodies to elect or appoint a member does not invalidate the composition of the Board, and, where a default continues for three months after an election or appointment should have been made, the remaining members of the Board may, but shall not be obliged to, elect a member to fill the vacancy.
- Term of office** **12.** Except with respect to *ex officio* members and members elected or appointed to fill a vacancy as provided in section 15, each member shall hold office for four years, shall be eligible for re-appointment or re-election, as the case may be, for two further terms of office, and shall hold office until his successor is elected or appointed.
- Eligibility** **13.—(1)** No person is eligible for appointment or election to the Board whose customary place of residence is not within Ontario.
- Idem** (2) Except as otherwise provided in this Act, no member of the governing body, administration, Faculty or student body of the University or of any other degree-granting institution is eligible for appointment or election as a member of the Board.
- Membership vacated** **14.—(1)** Where a member of the Board during his term of office ceases to be eligible for appointment or election to the Board under section 11 or 13 or becomes mentally incapacitated or otherwise incapable of acting as a member, the Board by resolution shall declare his membership vacant.
- Meetings** (2) Where, within any fiscal year of the University, a member of the Board not having been granted leave of absence by the Board attends less than 50 per cent of the regular meetings of the Board, the Board by resolution may declare his membership vacant.
- Idem** (3) Where, within any fiscal year of the University, a member of the Board not having been granted leave of absence by the Board attends less than 25 per cent of the meetings of the Board, the Board by resolution shall declare his membership vacant.
- Proof** (4) A resolution declaring a vacancy, entered in the minutes of the Board, is conclusive evidence of the vacancy.
- Filling vacancies** **15.** Where a vacancy on the Board occurs before the term of office for which a person has been appointed or elected has expired, the vacancy may be filled in the same manner

and by the same authority as the person whose membership is vacant was appointed or elected, and the person so appointed or elected shall hold office for the remainder of the term of office of the person whose membership is vacant, except that, in the case of an election of a person to fill a vacancy in those members elected under clause g of subsection 1 of section 11, all members elected pursuant to such clause who remain in office are entitled to vote.

16.—(1) The Board shall elect one of its members to be ^{Chairman and vice-chairman} chairman and one of its members to be vice-chairman, and, in the case of the absence or illness of the chairman or of there being a vacancy in the office of chairman, the vice-chairman shall act as and have all the powers of the chairman.

(2) Where the chairman and vice-chairman are absent or ^{Absence} ill, the Board may appoint one of its members to act as chairman for the time being and the member so appointed shall act as and have all the powers of the chairman.

17. A quorum of the Board consists of eight members, ^{Quorum} not including *ex officio* members.

18. Notwithstanding any vacancy, so long as there are at ^{Exercise of powers} least twelve members, not including *ex officio* members, the Board may exercise any of its powers.

19. A member of the Board who is in any way interested in ^{Interest in work of the Board} a proposed contract with the University shall declare his interest at any meeting of the Board at which the proposed contract is considered, shall withdraw from the meeting during any discussion of such contract and shall not vote thereon.

20. Except in such matters as are assigned by this Act to ^{Management of the University} the Senate or other body, the government, conduct and management and control of the University and of its property and affairs are vested in the Board, and the Board may do such things as it considers necessary or convenient to advance the interests of the University.

21. Without limiting the generality of section 20, the ^{Powers of the Board} Board may,

- (a) appoint the President and Vice-Chancellor, but before so acting the Board shall request a recommendation from a committee, to be convened by the chairman of the Board, composed of five members of the Board to be named by it, and five members of the Faculty to be named by the Senate, which committee shall appoint its own chairman and determine its own procedure, and any recommendation of the committee shall be made in writing

signed by at least eight members and delivered to the Board within nine months of the date on which the Board names five members to the committee or the date on which the Board requests the Senate to name five members to the committee, whichever date is later, and, failing a recommendation within that period, the Board may appoint the President;

- (b) on the recommendation of the President, appoint as many Vice-Presidents as the Board and the Senate may consider necessary, the heads of all academic units within the University, the Librarian, the Registrar, the professors and all other members of the academic staff of the University, but all such appointments made by the Board shall be in accordance with the policies and procedures made by the Senate;
- (c) appoint all other employees the Board may consider necessary;
- (d) fix and provide for the remuneration, tenure of office or employment, retirement and superannuation, or other conditions of employment of the persons mentioned in clauses *a*, *b* and *c*, which employment, in the absence of contract or policy of tenure, shall be at the pleasure of the Board, in the absence of contract or policy of tenure and determine their functions, duties and powers, but the policies and procedures followed in respect of the appointment of persons under clause *b* shall be adopted and promulgated after consultation with the Senate, and such other bodies within the University as may be appropriate;
- (e) expend such sums as may be required for the purposes of funds that are established for the payment of gratuities, retirement allowances, pensions, life insurance or other insurance, including health insurance, for the benefit of the persons mentioned in clauses *a*, *b* and *c*;
- (f) make regulations pertaining to the meetings of the Board and its transactions, create committees to exercise any of its powers and delegate authority to individuals or committees created by it;
- (g) appoint by resolution a member or members of the Board or any other person or persons to execute on behalf of the Board either documents and other instruments in writing generally or specific documents and other instruments in writing and to affix the corporate seal of the Board thereto;

- (h) fix the fees to be paid for instruction under the control of the University, for all ancillary activities and for examinations, degrees, diplomas and certificates;
- (i) provide such means for health service and health examination for the students of the University as the Board may see fit;
- (j) expend such sums as the Board considers necessary for the support and maintenance of the University and for the betterment of existing buildings and for the furnishing and equipment of existing and newly erected buildings and, having first requested the advice of the Senate, for the erection of such new buildings as the Board considers necessary for the use or purposes of the University;
- (k) subject to the limitations imposed by any trust, invest all such money as shall come to the University in such manner as the Board may see fit;
- (l) borrow from time to time such sums of money as may be required for the use of the University, and give such security against the assets of the University by way of mortgage or otherwise as the Board may determine;
- (m) apply for, purchase and otherwise deal with inventions, trademarks, trade names, copyright or similar rights or interests therein in any manner that the Board considers necessary for the proper running of the University; and
- (n) pass resolutions and make recommendations to the Senate with respect to any matter connected with the administration of the University and the promotion of its affairs, but this power shall not be interpreted as subtracting from the powers and duties conferred on the Senate by this Act.

22. On the recommendation of the Senate, the Board may, *Idem*

- (a) establish such faculties, schools, departments, chairs and courses of instruction in any subject in the University or elsewhere as the Board may determine, but the Senate shall determine the curricula of all courses of instruction;
- (b) enter into agreements for the founding or establishment of chairs, scholarships, fellowships, prizes, bursaries and other awards;

- (c) provide for the affiliation with the University of any college in Ontario offering courses leading to a degree and established for teaching any branch of learning on such terms as the Board may determine, and enter into any agreement that the Board may consider necessary to effectuate affiliation, and in order to preserve the undenominational nature of the University no more than two colleges of the same denominational control shall be affiliated with the University at the same time, and no college affiliated with the University shall be affiliated with or have affiliated with it any other college, school or institute of higher learning without specific permission in writing by the Board;
- (d) provide for the dissolution, modification or alteration of the terms of any affiliation; and
- (e) provide for the government and control of residences operated and maintained by the University.

Authentica-
tion of
by-laws, etc.

23. Except as otherwise provided in this Act, the Board may act by resolution or by-law authenticated in a manner prescribed by the Board.

Audit of
accounts

24.—(1) The Board shall appoint an auditor or auditors to audit the accounts of the Board at least once a year.

Annual
report

(2) The Board shall make an annual financial report to the Lieutenant Governor in Council in such form as the Lieutenant Governor in Council may require, and the Provincial Secretary shall lay the report before the Assembly if it is in session or, if not, at the next ensuing session.

Questions
as to
powers

25. Where any question arises as to the powers or duties of the President and Vice-Chancellor, Vice-Presidents, Faculty or any senior administrative officer of the University, after consultation with the Senate, it shall be settled and determined in accordance with this Act, by the Board, whose decision is final.

SENATE

Senate, how
composed

26.—(1) There shall be a Senate of the University composed of,

- (a) the following *ex officio* members,
- (i) the Chancellor,

- (ii) the Vice-Chancellor,
- (iii) such Vice-Presidents of the University as the Board and the Senate may determine,
- (iv) the Deans of the academic units of the University,
- (v) the Director of Summer School and Extension,
- (vi) the Librarian, and
- (vii) the Registrar, who shall be Secretary of the Senate,

of whom the Chancellor, the Vice-Presidents, the Director of Summer School and Extension, the Registrar and the Librarian shall be non-voting members;

(b) members elected, in the following numbers,

- (i) Faculty of Arts and Science,
 - 1. Humanities Division—three members,
 - 2. Social Sciences Division—three members,
 - 3. Natural Sciences Division—three members,
 - 4. College of Music—one member,
- (ii) School of Business Administration—two members,
- (iii) Faculty of Dentistry—one member,
- (iv) Althouse College of Education—one member,
- (v) Faculty of Engineering Science—two members,
- (vi) Faculty of Graduate Studies—ten members,
- (vii) Faculty of Law—one member,
- (viii) School of Library and Informational Sciences—one member,
- (ix) Faculty of Medicine—three members,
- (x) School of Nursing—one member, and

- (xi) any other college that may hereafter be established within the University and that offers courses leading to a degree—one member;
- (c) two members of the Board selected by the Board in such manner as from time to time it may establish;
- (d) two members from each affiliated college, one of whom shall be the academic head of that college and the other elected as provided in section 27;
- (e) three students of the University, being two from the undergraduate student body and one from the graduate student body, elected in such manner and for such term as the Senate from time to time may establish; and
- (f) six persons from the general community, selected by the Senate in such manner as it from time to time may establish, of whom one shall be either the President of or appointed by the Alumni Association of the University and one shall be active in or associated with the field of Secondary School education and of whom not fewer than four persons shall be alumni of the University.

Regulation
to vary
number of
members

(2) Upon an application by the Senate approved by at least two-thirds of the members of Senate, the Lieutenant Governor in Council may make regulations varying the number of members set out in clause *b* of subsection 1.

Officers

(3) The Vice-Chancellor shall be the chairman of the Senate, and a vice-chairman shall be elected from among its members in such manner as the Senate may establish.

Election of
members

27.—(1) The election of a representative under clause *b* or *d* of subsection 1 of section 26 shall be by secret ballot of the members of the academic unit to be represented who hold an appointment of Assistant Professor or higher.

Idem

(2) No person is eligible for election to the Senate under clause *b* or *d* of subsection 1 of section 26 unless he is a member of the academic unit to be represented, holds the rank of Assistant Professor or higher and has held an academic appointment at the University for two years.

Disputes

(3) Where a dispute arises as to who is eligible to vote under subsection 1 or to hold office under subsection 2, the Senate shall determine the dispute and its decision is final.

(4) Except as otherwise provided in this Act, a member of the Senate, other than an *ex officio* member, shall hold office for a term of two years and is not eligible to be elected for more than two consecutive terms, but is eligible for re-election after a lapse of two years after the expiration of the second of two consecutive terms. ^{Term of office}

(5) Where an academic unit has more than one elected representative, the terms of office of such representatives shall be staggered in such manner as the Senate may from time to time prescribe. ^{Idem}

28.—(1) Where an elected or appointed member of the Senate resigns, becomes mentally incapacitated or otherwise incapable of acting or ceases to possess the qualifications set out in sections 26 and 27, the Senate shall by resolution declare his membership vacant. ^{Vacating office}

(2) Where within any year a member of the Senate not having been granted leave of absence by the Senate attends less than 50 per cent of the regular meetings of the Senate, the Senate may by resolution declare his membership vacant. ^{Idem}

(3) Where within any year a member of the Senate not having been granted leave of absence by the Senate attends less than 25 per cent of the regular meetings of the Senate, the Senate shall by resolution declare his membership vacant. ^{Idem}

(4) Where any member of the Senate is granted leave of absence by the Senate, provision shall be made for an alternate member who, during such leave of absence, shall have all the powers of a member of the Senate. ^{Alternates}

(5) A resolution passed under this section entered into the minutes of the Senate shall be conclusive evidence of the vacancy declared therein. ^{Resolution final}

29. Where a vacancy on the Senate occurs before the term of office for which a member has been appointed or elected has expired, the vacancy shall be filled in the same manner and by the same authority as the member whose membership is vacant was appointed or elected, and the member so appointed or elected shall hold office for the remainder of the term of office of the member whose membership is vacant. ^{Filling vacancies}

30.—(1) The Senate shall meet at least four times a year and at such other times as the Senate from time to time may prescribe. ^{Meetings of the Senate}

Special
meetings

(2) A special meeting of the Senate shall be called on the written notice of any seven Senators, and shall be convened within fifteen days thereafter, to consider the matter or matters set out in the notice.

Duties of
Senate

31. The Senate is responsible for the academic policy of the University and, without limiting the generality of the foregoing, the Senate shall,

- (a) create faculty councils or committees and committees generally to exercise any of its powers and shall approve their form and method of operation;
- (b) determine all courses of study, including standards for admission into the University and qualifications for degrees;
- (c) conduct examinations, appoint examiners, and decide finally all matters relating thereto;
- (d) deal with matters arising in connection with the award of fellowships, scholarships, medals, prizes and other awards;
- (e) provide for the convening and conduct of convocations;
- (f) confer honorary degrees in divinity without fee upon the recommendation of any theological college affiliated with the University;
- (g) establish and recommend to the Board policies and procedures to be followed in the selection, appointment, promotion and termination of appointment of the members of the Faculty, as well as the conditions under which tenure and sabbatical leave are granted;
- (h) in collaboration with the Board create a committee to make recommendations respecting the appointment of the President and Vice-Chancellor as provided in clause *a* of section 21 and shall be consulted before the termination of any appointment so made; and
- (i) make recommendations and give advice to the Board on the matters mentioned in clause *b* of section 21 and section 22.

Idem

32. The Senate may,

- (a) confer degrees, diplomas and certificates in any subject taught in the University or in theology as taught in any of the affiliated colleges;

- (b) confer honorary degrees in any department of learning;
- (c) provide by-laws and regulations for the conduct of its proceedings including the determination of a quorum necessary for the transaction of business;
- (d) establish such committees as the Senate considers necessary, including an executive committee that may act in the name and on behalf of the Senate between regular meetings of the Senate;
- (e) inquire into and publish reports upon any matter that affects the academic reputation or effectiveness of the University; and
- (f) pass resolutions and make recommendations to the Board with respect to any matter connected with the administration of the University and the promotion of its affairs, but this clause shall not be construed to subtract from the powers and duties conferred on the Board elsewhere in this Act.

THE ASSEMBLY OF THE UNIVERSITY

33.—(1) There shall be an advisory body called “The ^{Assembly of the University} Assembly of the University” composed as follows,

- (a) the Chancellor;
- (b) the Vice-Chancellor, who shall be the chairman of the Assembly;
- (c) the chairman of the Board and four members of the Board chosen by it;
- (d) five members chosen by the Senate;
- (e) the Vice-Presidents, and the Registrar who shall be the Secretary of the Assembly;
- (f) the Deans of all faculties of the University;
- (g) the academic head and two members from each affiliated college;
- (h) ten members chosen by the University Students’ Council, two members chosen by the Society of Graduate Students and one member chosen by the Masters of Business Administration Association;
- (i) the chairman of the Alumni Association and his executive;
- (j) five members chosen by the City of London, two members chosen by the Board of Education of the City of London, and one member chosen by the Separate School Board of the City of London;

- (*k*) the Warden, or one member of the county council to be chosen by it, of each of the counties named in section 6;
- (*l*) one member of the municipal council of each city, other than the City of London, in the counties named in section 6;
- (*m*) ten members chosen by the Secondary School Headmasters Association;
- (*n*) one member chosen from each of the Colleges of Applied Arts and Technology in the counties named in section 6;
- (*o*) the Members of Parliament representing the ridings of Middlesex and London;
- (*p*) the Members of the Legislative Assembly representing the ridings of London and Middlesex and the ridings abutting those ridings;
- (*q*) ten members at large appointed by the Board and ten members at large appointed by the Senate; and
- (*r*) such other persons as the Board and the Senate may by joint action appoint.

Term of
office

(2) Each member, other than *ex officio* members, shall hold office for such term as the Assembly may from time to time determine.

Meetings of
Assembly

(3) The President shall convene the Assembly at least once in each academic year to receive and discuss reports from the Vice-Chancellor and from the chairman of the Board concerning the state and aims of the University, to discuss any matter affecting the University and at the request of the Board or of the Senate to advise thereon, and to provide by its meetings a forum whereby liaison between the University and the public may be established and promoted in the furtherance of the University's academic aims and purposes.

UNIVERSITY LIAISON COMMITTEE

University
Liaison
Committee

34.—(1) There shall be a body called the University Liaison Committee composed of such equal number of representatives from the Board, Senate and student body as the Board may from time to time determine, such members to be appointed or selected in such manner as shall be determined by the body which they respectively represent.

(2) The Committee shall meet at the call of the President ^{Meetings of Committee} at least every second month during the months of September to May inclusive, or at the request of the majority of the representatives of any two constituent bodies, to facilitate liaison on matters of mutual interest.

CHANCELLOR

35.—(1) There shall be a Chancellor of the University ^{Chancellor, election of} who shall be elected by an electoral board consisting of,

(a) six members, except *ex officio* members, of the Board, including the chairman of the Board; and

(b) six members of the Senate, including the Vice-Chancellor.

(2) Eight members of the electoral board, including the chairman of the Board and the Vice-Chancellor, constitute ^{Quorum} a quorum.

(3) No person shall occupy the office of Chancellor who is ^{Who ineligible} a member of the teaching or administrative staff, or who is an employee of the University or of any affiliated college, or who at the time of his election is a member of the Board or of the governing body of any affiliated college.

36. The term of office of the Chancellor shall be for four ^{Term of office} years commencing with the 1st day of July of the year in which he is elected and continuing until his successor is elected, but in any event not longer than six months after the expiration of his term of office, and no Chancellor shall be eligible for re-election.

37. Where a vacancy in the office of Chancellor occurs, the ^{Vacancy in office} vacancy shall be filled by the election of a successor in the manner set out in section 35, and such successor shall hold office for four years terminating on the 30th day of June in the fourth year after his election, and no successor shall be eligible for re-election.

38.—(1) Where the Chancellor ceases to be eligible for ^{Where Chancellor becomes ineligible} such office or becomes mentally incapacitated or otherwise incapable of acting, he shall vacate his office.

(2) A declaration of the existence of a vacancy in the office ^{Evidence of vacancy} of Chancellor by the Senate and the Board entered in the minutes of the Senate and the Board is conclusive evidence of the vacancy.

Duties

39. The Chancellor shall preside at all convocations and by virtue of the authority vested in him by the Senate shall admit to degrees, diplomas and certificates such candidates, including the recipients of honorary degrees, as may be requested by the Senate.

VICE-CHANCELLOR

Vice-Chancellor

40.—(1) There shall be a Vice-Chancellor of the University who shall be the President of the University.

(2) The Vice-Chancellor and President shall be the chief executive officer of the University and shall call a meeting of and report to the Faculty not less than once in each academic year.

Vice-Chancellor to act in absence of Chancellor

(3) In the absence of the Chancellor or there being a vacancy in the office, the Vice-Chancellor or a member of the Faculty appointed by him shall act as Chancellor at Convocation.

Absence of Chancellor and Vice-Chancellor

(4) In the absence of both Chancellor and Vice-Chancellor or if both offices are vacant, the Chancellor's duties shall be performed by a member of the Faculty appointed by the Senate for the purpose.

OFFICIAL VISITOR

Official Visitor

41. His Honour the Lieutenant Governor of the Province of Ontario is the Official Visitor of the University.

GENERAL

Review

42. The Board and the Senate shall review this Act within five years from the date of its enactment.

Former members continue until new Board and Senate constituted

43. The members of the Board and the Senate holding office immediately before this Act comes into force shall continue to hold office and constitute the Board and the Senate under this Act until the members of the Board and Senate are elected or appointed in accordance with this Act.

Repeal

44. *The University of Western Ontario Act, 1955* is repealed.

Commencement

45. This Act comes into force on the day it receives Royal Assent.

Short title

46. This Act may be cited as *The University of Western Ontario Act, 1967*.

An Act respecting
The University of Western Ontario

1st Reading

February 13th, 1967

2nd Reading

June 9th, 1967

3rd Reading

MR. WHITE

(Reprinted as amended by the
Committee of the Whole House)

BILL Pr31

5TH SESSION, 27TH LEGISLATURE, ONTARIO
15-16 ELIZABETH II, 1967

An Act respecting The University of Western Ontario

MR. WHITE

THE UNIVERSITY OF CHICAGO
 LIBRARY

THE UNIVERSITY OF CHICAGO
 LIBRARY

No.	Name	Age	Sex	Color	Height	Weight	Measurements	Remarks
1	John	20	M	W	5' 10"	150	18 1/2	
2	John	20	M	W	5' 10"	150	18 1/2	
3	John	20	M	W	5' 10"	150	18 1/2	
4	John	20	M	W	5' 10"	150	18 1/2	
5	John	20	M	W	5' 10"	150	18 1/2	
6	John	20	M	W	5' 10"	150	18 1/2	
7	John	20	M	W	5' 10"	150	18 1/2	
8	John	20	M	W	5' 10"	150	18 1/2	
9	John	20	M	W	5' 10"	150	18 1/2	
10	John	20	M	W	5' 10"	150	18 1/2	

BILL Pr31

1967

An Act respecting The University of Western Ontario

WHEREAS The University of Western Ontario by its ^{Preamble} petition has prayed for special legislation varying the provisions of its Act of incorporation in relation to its organization, government and administration; and whereas it is expedient to grant the prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. In this Act,

Interpre-
tation

- (a) "Board" means The Board of Governors of The University of Western Ontario;
- (b) "college" means a school, college or faculty or other institution of higher learning offering courses leading to a degree;
- (c) "Faculty" means full-time members of the academic staff of the University including the Vice-Chancellor and academic Deans, and such of the part-time academic staff of the University as the Senate may from time to time determine;
- (d) "property" means all property, both real and personal;
- (e) "real property" means messuages, lands, tenements and hereditaments, whether corporeal or incorporeal, and any undivided share thereof and any estate or interest therein;
- (f) "Senate" means the Senate of the University of Western Ontario;
- (g) "student body" means those persons who are at the pertinent time enrolled as full-time students in any programme leading to a degree in any of the colleges of the University, but does not include students of an affiliate of the University;

- (h) "University" means The University of Western Ontario, but does not include any college affiliated with the University.

University
continued

2. The University, commonly known as "Western", the Board and the Senate and the statutes and regulations of, appointments in and affiliation of colleges with, the University, existing at the time this Act comes into force, are and each of them is hereby continued, subject to this Act.

Religious
tests not
required

3. The government, management and control of the University shall continue to be undenominational and no religious test shall be required of any officer, member of the teaching staff, employee or student of the University, nor shall any religious observances be imposed on him.

Proceedings
by or against
University

4. All proceedings by or against the University may be had and taken in the name of "The University of Western Ontario".

GRANTS

Grants by
City of
London

5. The City of London may grant annually or from time to time to the University such sum as the City and the University may agree upon, without obtaining the assent of the electors qualified to vote on money by-laws for such grant, except that any grant exceeding in any one year \$1 per capita of population as determined by the last yearly census as returned to the clerk by the assessment commissioner shall first receive the assent of the electors.

Grants by
counties

6. The county council of any of the counties of Essex, Kent, Elgin, Norfolk, Lambton, Middlesex, Oxford, Brant, Huron, Bruce, Grey, Perth, Wellington, and Waterloo, or the council of any municipality in such counties other than the City of London, may make grants to the Board for the use of the University without obtaining the assent of the electors qualified to vote on money by-laws for such grant, except that any grant in excess of \$20,000 in any one year shall first receive the assent of the electors.

PROPERTY

Property in
trust vested
in Board

7. All property heretofore or hereafter granted, conveyed, devised or bequeathed by any person, firm or corporation in trust for or for the benefit of the University or of any faculty, school or department thereof or otherwise in connection therewith, subject to the trust affecting the same, vests in the Board.

Application
of statute of
limitations
to property

8. All real property vested in the Board shall, as far as the application of any statute of limitations is concerned, including any statute limiting or defining the period for the investi-

gation of titles, be deemed to have been and to be real property vested in the Crown for the public use of the Province of Ontario.

9. Real property vested in the Board shall not be liable to be entered upon, used or taken by any corporation except a municipal corporation or by any person possessing the right of taking land compulsorily for any purpose and no power to expropriate real property hereafter conferred shall extend to such real property unless the Act conferring the power applies thereto in express terms.

Land vested
in Board not
liable to ex-
propriation

THE BOARD OF GOVERNORS

10. The Board of Governors of the University is hereby continued as a body corporate by the name and style of "The Board of Governors, The University of Western Ontario".

Board
continued

11.—(1) The Board shall consist of,

Composition
of Board

- (a) the President of the University, the Mayor of the City of London, the Warden of the County of Middlesex, and the Chancellor of the University, who shall be *ex officio* members;
- (b) four persons appointed by the council of the City of London;
- (c) four persons appointed by the Lieutenant Governor in Council;
- (d) two persons appointed or elected by the Alumni Association of the University;
- (e) four members of the Faculty who are or have been members of the Senate elected by the Senate;
- (f) one member elected by the student body in such manner and on such terms as the Board may determine, after consultation with the elected representatives of the student body, who shall be either the holder of a degree, which may include an honorary degree, from the University, or a former member of the Faculty, and such member shall not at the time of his election be or have been within the preceding twelve months a member of the student body or of any of its affiliates, but may be enrolled in a post-graduate course in any other degree-granting institution;
- (g) four persons elected by the members appointed or elected under clauses *b, c, d, e* and *f*; and

(h) such Vice-Presidents as are appointed to the Board by the members appointed under clauses *b, c, d, e, f* and *g*, which appointments may be terminated at any time.

Failure to
elect or
appoint

(2) The failure of any of the foregoing bodies to elect or appoint a member does not invalidate the composition of the Board, and, where a default continues for three months after an election or appointment should have been made, the remaining members of the Board may, but shall not be obliged to, elect a member to fill the vacancy.

Term of
office

12. Except with respect to *ex officio* members and members elected or appointed to fill a vacancy as provided in section 15, each member shall hold office for four years, shall be eligible for re-appointment or re-election, as the case may be, for two further terms of office, and shall hold office until his successor is elected or appointed.

Eligibility

13.—(1) No person is eligible for appointment or election to the Board whose customary place of residence is not within Ontario.

Idem

(2) Except as otherwise provided in this Act, no member of the governing body, administration, Faculty or student body of the University or of any other degree-granting institution is eligible for appointment or election as a member of the Board.

Membership
vacated

14.—(1) Where a member of the Board during his term of office ceases to be eligible for appointment or election to the Board under section 11 or 13 or becomes mentally incapacitated or otherwise incapable of acting as a member, the Board by resolution shall declare his membership vacant.

Meetings

(2) Where, within any fiscal year of the University, a member of the Board not having been granted leave of absence by the Board attends less than 50 per cent of the regular meetings of the Board, the Board by resolution may declare his membership vacant.

Idem

(3) Where, within any fiscal year of the University, a member of the Board not having been granted leave of absence by the Board attends less than 25 per cent of the meetings of the Board, the Board by resolution shall declare his membership vacant.

Proof

(4) A resolution declaring a vacancy, entered in the minutes of the Board, is conclusive evidence of the vacancy.

Filling
vacancies

15. Where a vacancy on the Board occurs before the term of office for which a person has been appointed or elected has expired, the vacancy may be filled in the same manner

and by the same authority as the person whose membership is vacant was appointed or elected, and the person so appointed or elected shall hold office for the remainder of the term of office of the person whose membership is vacant, except that, in the case of an election of a person to fill a vacancy in those members elected under clause g of subsection 1 of section 11, all members elected pursuant to such clause who remain in office are entitled to vote.

16.—(1) The Board shall elect one of its members to be ^{Chairman and vice-chairman} chairman and one of its members to be vice-chairman, and, in the case of the absence or illness of the chairman or of there being a vacancy in the office of chairman, the vice-chairman shall act as and have all the powers of the chairman.

(2) Where the chairman and vice-chairman are absent or ^{Absence} ill, the Board may appoint one of its members to act as chairman for the time being and the member so appointed shall act as and have all the powers of the chairman.

17. A quorum of the Board consists of eight members, ^{Quorum} not including *ex officio* members.

18. Notwithstanding any vacancy, so long as there are at ^{Exercise of powers} least twelve members, not including *ex officio* members, the Board may exercise any of its powers.

19. A member of the Board who is in any way interested in ^{Interest in work of the Board} a proposed contract with the University shall declare his interest at any meeting of the Board at which the proposed contract is considered, shall withdraw from the meeting during any discussion of such contract and shall not vote thereon.

20. Except in such matters as are assigned by this Act to ^{Management of the University} the Senate or other body, the government, conduct and management and control of the University and of its property and affairs are vested in the Board, and the Board may do such things as it considers necessary or convenient to advance the interests of the University.

21. Without limiting the generality of section 20, the ^{Powers of the Board} Board may,

- (a) appoint the President and Vice-Chancellor, but before so acting the Board shall request a recommendation from a committee, to be convened by the chairman of the Board, composed of five members of the Board to be named by it, and five members of the Faculty to be named by the Senate, which committee shall appoint its own chairman and determine its own procedure, and any recommendation of the committee shall be made in writing

signed by at least eight members and delivered to the Board within nine months of the date on which the Board names five members to the committee or the date on which the Board requests the Senate to name five members to the committee, whichever date is later, and, failing a recommendation within that period, the Board may appoint the President;

- (b) on the recommendation of the President, appoint as many Vice-Presidents as the Board and the Senate may consider necessary, the heads of all academic units within the University, the Librarian, the Registrar, the professors and all other members of the academic staff of the University, but all such appointments made by the Board shall be in accordance with the policies and procedures made by the Senate;
- (c) appoint all other employees the Board may consider necessary;
- (d) fix and provide for the remuneration, tenure of office or employment, retirement and superannuation, or other conditions of employment of the persons mentioned in clauses *a*, *b* and *c*, which employment, in the absence of contract or policy of tenure, shall be at the pleasure of the Board, in the absence of contract or policy of tenure and determine their functions, duties and powers, but the policies and procedures followed in respect of the appointment of persons under clause *b* shall be adopted and promulgated after consultation with the Senate, and such other bodies within the University as may be appropriate;
- (e) expend such sums as may be required for the purposes of funds that are established for the payment of gratuities, retirement allowances, pensions, life insurance or other insurance, including health insurance, for the benefit of the persons mentioned in clauses *a*, *b* and *c*;
- (f) make regulations pertaining to the meetings of the Board and its transactions, create committees to exercise any of its powers and delegate authority to individuals or committees created by it;
- (g) appoint by resolution a member or members of the Board or any other person or persons to execute on behalf of the Board either documents and other instruments in writing generally or specific documents and other instruments in writing and to affix the corporate seal of the Board thereto;

- (h) fix the fees to be paid for instruction under the control of the University, for all ancillary activities and for examinations, degrees, diplomas and certificates;
- (i) provide such means for health service and health examination for the students of the University as the Board may see fit;
- (j) expend such sums as the Board considers necessary for the support and maintenance of the University and for the betterment of existing buildings and for the furnishing and equipment of existing and newly erected buildings and, having first requested the advice of the Senate, for the erection of such new buildings as the Board considers necessary for the use or purposes of the University;
- (k) subject to the limitations imposed by any trust, invest all such money as shall come to the University in such manner as the Board may see fit;
- (l) borrow from time to time such sums of money as may be required for the use of the University, and give such security against the assets of the University by way of mortgage or otherwise as the Board may determine;
- (m) apply for, purchase and otherwise deal with inventions, trademarks, trade names, copyright or similar rights or interests therein in any manner that the Board considers necessary for the proper running of the University; and
- (n) pass resolutions and make recommendations to the Senate with respect to any matter connected with the administration of the University and the promotion of its affairs, but this power shall not be interpreted as subtracting from the powers and duties conferred on the Senate by this Act.

22. On the recommendation of the Senate, the Board may, *Idem*

- (a) establish such faculties, schools, departments, chairs and courses of instruction in any subject in the University or elsewhere as the Board may determine, but the Senate shall determine the curricula of all courses of instruction;
- (b) enter into agreements for the founding or establishment of chairs, scholarships, fellowships, prizes, bursaries and other awards;

- (c) provide for the affiliation with the University of any college in Ontario offering courses leading to a degree and established for teaching any branch of learning on such terms as the Board may determine, and enter into any agreement that the Board may consider necessary to effectuate affiliation, and in order to preserve the undenominational nature of the University no more than two colleges of the same denominational control shall be affiliated with the University at the same time, and no college affiliated with the University shall be affiliated with or have affiliated with it any other college, school or institute of higher learning without specific permission in writing by the Board;
- (d) provide for the dissolution, modification or alteration of the terms of any affiliation; and
- (e) provide for the government and control of residences operated and maintained by the University.

Authentica-
tion of
by-laws, etc.

23. Except as otherwise provided in this Act, the Board may act by resolution or by-law authenticated in a manner prescribed by the Board.

Audit of
accounts

24.—(1) The Board shall appoint an auditor or auditors to audit the accounts of the Board at least once a year.

Annual
report

(2) The Board shall make an annual financial report to the Lieutenant Governor in Council in such form as the Lieutenant Governor in Council may require, and the Provincial Secretary shall lay the report before the Assembly if it is in session or, if not, at the next ensuing session.

Questions
as to
powers

25. Where any question arises as to the powers or duties of the President and Vice-Chancellor, Vice-Presidents, Faculty or any senior administrative officer of the University, after consultation with the Senate, it shall be settled and determined in accordance with this Act, by the Board, whose decision is final.

SENATE

Senate, how
composed

26.—(1) There shall be a Senate of the University composed of,

(a) the following *ex officio* members,

(i) the Chancellor,

- (ii) the Vice-Chancellor,
- (iii) such Vice-Presidents of the University as the Board and the Senate may determine,
- (iv) the Deans of the academic units of the University,
- (v) the Director of Summer School and Extension,
- (vi) the Librarian, and
- (vii) the Registrar, who shall be Secretary of the Senate,

of whom the Chancellor, the Vice-Presidents, the Director of Summer School and Extension, the Registrar and the Librarian shall be non-voting members;

(b) members elected, in the following numbers,

- (i) Faculty of Arts and Science,
 - 1. Humanities Division—three members,
 - 2. Social Sciences Division—three members,
 - 3. Natural Sciences Division—three members,
 - 4. College of Music—one member,
- (ii) School of Business Administration—two members,
- (iii) Faculty of Dentistry—one member,
- (iv) Althouse College of Education—one member,
- (v) Faculty of Engineering Science—two members,
- (vi) Faculty of Graduate Studies—ten members,
- (vii) Faculty of Law—one member,
- (viii) School of Library and Informational Sciences—one member,
- (ix) Faculty of Medicine—three members,
- (x) School of Nursing—one member, and

- (xi) any other college that may hereafter be established within the University and that offers courses leading to a degree—one member;
- (c) two members of the Board selected by the Board in such manner as from time to time it may establish;
- (d) two members from each affiliated college, one of whom shall be the academic head of that college and the other elected as provided in section 27;
- (e) three students of the University, being two from the undergraduate student body and one from the graduate student body, elected in such manner and for such term as the Senate from time to time may establish; and
- (f) six persons from the general community, selected by the Senate in such manner as it from time to time may establish, of whom one shall be either the President of or appointed by the Alumni Association of the University and one shall be active in or associated with the field of Secondary School education and of whom not fewer than four persons shall be alumni of the University.

**Regulation
to vary
number of
members**

(2) Upon an application by the Senate approved by at least two-thirds of the members of Senate, the Lieutenant Governor in Council may make regulations varying the number of members set out in clause *b* of subsection 1.

Officers

(3) The Vice-Chancellor shall be the chairman of the Senate, and a vice-chairman shall be elected from among its members in such manner as the Senate may establish.

**Election of
members**

27.—(1) The election of a representative under clause *b* or *d* of subsection 1 of section 26 shall be by secret ballot of the members of the academic unit to be represented who hold an appointment of Assistant Professor or higher.

Idem

(2) No person is eligible for election to the Senate under clause *b* or *d* of subsection 1 of section 26 unless he is a member of the academic unit to be represented, holds the rank of Assistant Professor or higher and has held an academic appointment at the University for two years.

Disputes

(3) Where a dispute arises as to who is eligible to vote under subsection 1 or to hold office under subsection 2, the Senate shall determine the dispute and its decision is final.

(4) Except as otherwise provided in this Act, a member of the Senate, other than an *ex officio* member, shall hold office for a term of two years and is not eligible to be elected for more than two consecutive terms, but is eligible for re-election after a lapse of two years after the expiration of the second of two consecutive terms. ^{Term of office}

(5) Where an academic unit has more than one elected representative, the terms of office of such representatives shall be staggered in such manner as the Senate may from time to time prescribe. ^{Idem}

28.—(1) Where an elected or appointed member of the Senate resigns, becomes mentally incapacitated or otherwise incapable of acting or ceases to possess the qualifications set out in sections 26 and 27, the Senate shall by resolution declare his membership vacant. ^{Vacating office}

(2) Where within any year a member of the Senate not having been granted leave of absence by the Senate attends less than 50 per cent of the regular meetings of the Senate, the Senate may by resolution declare his membership vacant. ^{Idem}

(3) Where within any year a member of the Senate not having been granted leave of absence by the Senate attends less than 25 per cent of the regular meetings of the Senate, the Senate shall by resolution declare his membership vacant. ^{Idem}

(4) Where any member of the Senate is granted leave of absence by the Senate, provision shall be made for an alternate member who, during such leave of absence, shall have all the powers of a member of the Senate. ^{Alternates}

(5) A resolution passed under this section entered into the minutes of the Senate shall be conclusive evidence of the vacancy declared therein. ^{Resolution final}

29. Where a vacancy on the Senate occurs before the term of office for which a member has been appointed or elected has expired, the vacancy shall be filled in the same manner and by the same authority as the member whose membership is vacant was appointed or elected, and the member so appointed or elected shall hold office for the remainder of the term of office of the member whose membership is vacant. ^{Filling vacancies}

30.—(1) The Senate shall meet at least four times a year and at such other times as the Senate from time to time may prescribe. ^{Meetings of the Senate}

**Special
meetings**

(2) A special meeting of the Senate shall be called on the written notice of any seven Senators, and shall be convened within fifteen days thereafter, to consider the matter or matters set out in the notice.

**Duties of
Senate**

31. The Senate is responsible for the academic policy of the University and, without limiting the generality of the foregoing, the Senate shall,

- (a) create faculty councils or committees and committees generally to exercise any of its powers and shall approve their form and method of operation;
- (b) determine all courses of study, including standards for admission into the University and qualifications for degrees;
- (c) conduct examinations, appoint examiners, and decide finally all matters relating thereto;
- (d) deal with matters arising in connection with the award of fellowships, scholarships, medals, prizes and other awards;
- (e) provide for the convening and conduct of convocations;
- (f) confer honorary degrees in divinity without fee upon the recommendation of any theological college affiliated with the University;
- (g) establish and recommend to the Board policies and procedures to be followed in the selection, appointment, promotion and termination of appointment of the members of the Faculty, as well as the conditions under which tenure and sabbatical leave are granted;
- (h) in collaboration with the Board create a committee to make recommendations respecting the appointment of the President and Vice-Chancellor as provided in clause *a* of section 21 and shall be consulted before the termination of any appointment so made; and
- (i) make recommendations and give advice to the Board on the matters mentioned in clause *b* of section 21 and section 22.

Idem

32. The Senate may,

- (a) confer degrees, diplomas and certificates in any subject taught in the University or in theology as taught in any of the affiliated colleges;

- (b) confer honorary degrees in any department of learning;
- (c) provide by-laws and regulations for the conduct of its proceedings including the determination of a quorum necessary for the transaction of business;
- (d) establish such committees as the Senate considers necessary, including an executive committee that may act in the name and on behalf of the Senate between regular meetings of the Senate;
- (e) inquire into and publish reports upon any matter that affects the academic reputation or effectiveness of the University; and
- (f) pass resolutions and make recommendations to the Board with respect to any matter connected with the administration of the University and the promotion of its affairs, but this clause shall not be construed to subtract from the powers and duties conferred on the Board elsewhere in this Act.

THE ASSEMBLY OF THE UNIVERSITY

33.—(1) There shall be an advisory body called “The ^{Assembly} of the University” composed as follows,

- (a) the Chancellor;
- (b) the Vice-Chancellor, who shall be the chairman of the Assembly;
- (c) the chairman of the Board and four members of the Board chosen by it;
- (d) five members chosen by the Senate;
- (e) the Vice-Presidents, and the Registrar who shall be the Secretary of the Assembly;
- (f) the Deans of all faculties of the University;
- (g) the academic head and two members from each affiliated college;
- (h) ten members chosen by the University Students’ Council, two members chosen by the Society of Graduate Students and one member chosen by the Masters of Business Administration Association;
- (i) the chairman of the Alumni Association and his executive;
- (j) five members chosen by the City of London, two members chosen by the Board of Education of the City of London, and one member chosen by the Separate School Board of the City of London;

- (k) the Warden, or one member of the county council to be chosen by it, of each of the counties named in section 6;
- (l) one member of the municipal council of each city, other than the City of London, in the counties named in section 6;
- (m) ten members chosen by the Secondary School Headmasters Association;
- (n) one member chosen from each of the Colleges of Applied Arts and Technology in the counties named in section 6;
- (o) the Members of Parliament representing the ridings of Middlesex and London;
- (p) the Members of the Legislative Assembly representing the ridings of London and Middlesex and the ridings abutting those ridings;
- (q) ten members at large appointed by the Board and ten members at large appointed by the Senate; and
- (r) such other persons as the Board and the Senate may by joint action appoint.

Term of office

(2) Each member, other than *ex officio* members, shall hold office for such term as the Assembly may from time to time determine.

Meetings of Assembly

(3) The President shall convene the Assembly at least once in each academic year to receive and discuss reports from the Vice-Chancellor and from the chairman of the Board concerning the state and aims of the University, to discuss any matter affecting the University and at the request of the Board or of the Senate to advise thereon, and to provide by its meetings a forum whereby liaison between the University and the public may be established and promoted in the furtherance of the University's academic aims and purposes.

UNIVERSITY LIAISON COMMITTEE

University Liaison Committee

34.—(1) There shall be a body called the University Liaison Committee composed of such equal number of representatives from the Board, Senate and student body as the Board may from time to time determine, such members to be appointed or selected in such manner as shall be determined by the body which they respectively represent.

(2) The Committee shall meet at the call of the President ^{Meetings of Committee} at least every second month during the months of September to May inclusive, or at the request of the majority of the representatives of any two constituent bodies, to facilitate liaison on matters of mutual interest.

CHANCELLOR

35.—(1) There shall be a Chancellor of the University ^{Chancellor, election of} who shall be elected by an electoral board consisting of,

(a) six members, except *ex officio* members, of the Board, including the chairman of the Board; and

(b) six members of the Senate, including the Vice-Chancellor.

(2) Eight members of the electoral board, including the ^{Quorum} chairman of the Board and the Vice-Chancellor, constitute a quorum.

(3) No person shall occupy the office of Chancellor who is ^{Who ineligible} a member of the teaching or administrative staff, or who is an employee of the University or of any affiliated college, or who at the time of his election is a member of the Board or of the governing body of any affiliated college.

36. The term of office of the Chancellor shall be for four ^{Term of office} years commencing with the 1st day of July of the year in which he is elected and continuing until his successor is elected, but in any event not longer than six months after the expiration of his term of office, and no Chancellor shall be eligible for re-election.

37. Where a vacancy in the office of Chancellor occurs, the ^{Vacancy in office} vacancy shall be filled by the election of a successor in the manner set out in section 35, and such successor shall hold office for four years terminating on the 30th day of June in the fourth year after his election, and no successor shall be eligible for re-election.

38.—(1) Where the Chancellor ceases to be eligible for ^{Where Chancellor becomes ineligible} such office or becomes mentally incapacitated or otherwise incapable of acting, he shall vacate his office.

(2) A declaration of the existence of a vacancy in the office ^{Evidence of vacancy} of Chancellor by the Senate and the Board entered in the minutes of the Senate and the Board is conclusive evidence of the vacancy.

Duties

39. The Chancellor shall preside at all convocations and by virtue of the authority vested in him by the Senate shall admit to degrees, diplomas and certificates such candidates, including the recipients of honorary degrees, as may be requested by the Senate.

VICE-CHANCELLOR

Vice-Chancellor

40.—(1) There shall be a Vice-Chancellor of the University who shall be the President of the University.

(2) The Vice-Chancellor and President shall be the chief executive officer of the University and shall call a meeting of and report to the Faculty not less than once in each academic year.

Vice-Chancellor to act in absence of Chancellor

(3) In the absence of the Chancellor or there being a vacancy in the office, the Vice-Chancellor or a member of the Faculty appointed by him shall act as Chancellor at Convocation.

Absence of Chancellor and Vice-Chancellor

(4) In the absence of both Chancellor and Vice-Chancellor or if both offices are vacant, the Chancellor's duties shall be performed by a member of the Faculty appointed by the Senate for the purpose.

OFFICIAL VISITOR

Official Visitor

41. His Honour the Lieutenant Governor of the Province of Ontario is the Official Visitor of the University.

GENERAL

Review

42. The Board and the Senate shall review this Act within five years from the date of its enactment.

Former members continue until new Board and Senate constituted

43. The members of the Board and the Senate holding office immediately before this Act comes into force shall continue to hold office and constitute the Board and the Senate under this Act until the members of the Board and Senate are elected or appointed in accordance with this Act.

Repeal

44. *The University of Western Ontario Act, 1955* is repealed.

Commencement

45. This Act comes into force on the day it receives Royal Assent.

Short title

46. This Act may be cited as *The University of Western Ontario Act, 1967*.

An Act respecting
The University of Western Ontario

1st Reading

February 13th, 1967

2nd Reading

June 9th, 1967

3rd Reading

June 15th, 1967

Mr. WHITE

BILL Pr32

5TH SESSION, 27TH LEGISLATURE, ONTARIO
15-16 ELIZABETH II, 1967

An Act respecting The Napanee and District Collegiate Institute Board

MR. APPS

(PRIVATE BILL)

Received of the Treasurer of the
 Board of Education, \$100.00

For the purchase of books and stationery
 for the use of the Board of Education

1871-1872

1871-1872

1871-1872

BILL Pr32

1967

An Act respecting The Napanee and District Collegiate Institute Board

WHEREAS The Napanee and District Collegiate Institute Board by its petition has prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the petition. Preamble

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. In the event that, due to inclement weather or failure in transportation arrangements, daily transportation cannot be provided to and from the Township of Amherst Island for pupils of Grades 9, 10, 11, 12 and 13 attending a secondary school, as defined in *The Schools Administration Act*, outside the Township of Amherst Island, The Napanee and District Collegiate Institute Board may, in lieu of providing daily transportation, reimburse at the end of each month the parent or guardian for the cost of providing each pupil with board and lodging and transportation once a week from his residence to school and return in an amount not exceeding \$3 for each day of attendance as certified by the principal of the secondary school that the pupil attends, or for such amount as from time to time is authorized to be paid by a secondary school board in a territorial district for a pupil who resides in a territorial district and attends a secondary school under the provisions of *The Schools Administration Act*, in lieu of providing daily transportation to and from school as provided in that Act. Allowance
in lieu of
transporta-
tion from
Amherst
Island
R.S.O. 1960,
c. 361

2. This Act shall be deemed to have come into force on the 1st day of January, 1967. Commence-
ment

3. This Act may be cited as *The Napanee and District Collegiate Institute Board Act, 1967*. Short title

An Act respecting The Napanee
and District Collegiate Institute Board

1st Reading

February 13th, 1967

2nd Reading

3rd Reading

MR. APPS

(*Private Bill*)

BILL Pr32

5TH SESSION, 27TH LEGISLATURE, ONTARIO
15-16 ELIZABETH II, 1967

An Act respecting The Napanee and District Collegiate Institute Board

MR. APPS

UNIT: _____
 DATE: _____

UNIT: _____
 DATE: _____

UNIT: _____
 DATE: _____

BILL Pr32

1967

An Act respecting The Napanee and District Collegiate Institute Board

WHEREAS The Napanee and District Collegiate Institute Board by its petition has prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the petition. Preamble

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. In the event that, due to inclement weather or failure in transportation arrangements, daily transportation cannot be provided to and from the Township of Amherst Island for pupils of Grades 9, 10, 11, 12 and 13 attending a secondary school, as defined in *The Schools Administration Act*, outside the Township of Amherst Island, The Napanee and District Collegiate Institute Board may, in lieu of providing daily transportation, reimburse at the end of each month the parent or guardian for the cost of providing each pupil with board and lodging and transportation once a week from his residence to school and return in an amount not exceeding \$3 for each day of attendance as certified by the principal of the secondary school that the pupil attends, or for such amount as from time to time is authorized to be paid by a secondary school board in a territorial district for a pupil who resides in a territorial district and attends a secondary school under the provisions of *The Schools Administration Act*, in lieu of providing daily transportation to and from school as provided in that Act. Allowance
in lieu of
transporta-
tion from
Amherst
Island
R.S.O. 1960,
c. 361

2. This Act shall be deemed to have come into force on the 1st day of January, 1967. Commence-
ment

3. This Act may be cited as *The Napanee and District Collegiate Institute Board Act, 1967*. Short title

An Act respecting The Napanee
and District Collegiate Institute Board

1st Reading

February 13th, 1967

2nd Reading

February 23rd, 1967

3rd Reading

February 27th, 1967

MR. APPS

BILL Pr33

5TH SESSION, 27TH LEGISLATURE, ONTARIO
15-16 ELIZABETH II, 1967

An Act respecting the Borough of York

MR. DUNLOP

(PRIVATE BILL)

THE JOURNAL OF THE
ROYAL ANTHROPOLOGICAL INSTITUTE

Vol. IX. Part I. 1879.

CONTENTS.

1879, Jan.

1879, Jan.

Published by the Royal Anthropological Institute, 21, BEDFORD SQUARE, LONDON, W.C.

BILL Pr33

1967

An Act respecting the Borough of York

WHEREAS The Corporation of the Borough of York, ^{Preamble}
 herein called the Corporation, by its petition has prayed
 for special legislation in respect of the matters hereinafter
 set forth; and whereas it is expedient to grant the prayer of the
 petition;

Therefore, Her Majesty, by and with the advice and consent
 of the Legislative Assembly of the Province of Ontario, enacts
 as follows:

1.—(1) Subsection 2 of section 3 of *The Township of York* ^{1962-63,}
Act, 1962-63 (No. 2) is repealed and the following substituted ^{c. 200, s. 3,}
 therefor: ^{subs. 2,}
^{re-enacted}

(2) Before passing a by-law under this section, notice ^{Notice to}
 of the intention of the Corporation to pass the same ^{electors}
 shall be sent by prepaid mail to all persons who are
 shown in the last revised assessment roll of the munici-
 pality as having the qualifications of municipal
 electors in respect of land abutting on the highways
 or parts thereof to be designated as aforesaid, at the
 addresses respectively shown for such persons in
 such roll.

(3) Unless a petition objecting to the passing of the ^{Petition}
 proposed by-law, signed by at least two-thirds of
 the persons entitled to notice as aforesaid, is received
 by the borough clerk within one month next follow-
 ing the latest day of the mailing of any such notices,
 the Corporation may pass the by-law, but, if a peti-
 tion objecting to the passing of the proposed by-law,
 signed by at least two-thirds of the persons entitled
 to notice as aforesaid, is received by the borough
 clerk within such time, the Corporation shall not pass
 the by-law.

(4) Where the council of the Corporation has proceeded ^{Saving}
 under this section and has been prevented from
 passing the proposed by-law by reason of a petition

objecting thereto having been presented under subsection 3, the council may again proceed under this section in respect of the highways or parts thereof proposed to be designated by such by-law at any time after the expiry of the two years next following the presentation of the petition.

1962-63,
c. 200, s. 3,
amended

(2) The said section 3 is amended by renumbering subsections 3, 4 and 5 as subsections 5, 6 and 7.

1964,
c. 150, s. 4,
subs. 1,
re-enacted

2. Subsection 1 of section 4 of *The Township of York Act, 1964* is repealed and the following substituted therefor:

Use of
untravelling
portions of
highways

(1) The Corporation is authorized and empowered to lease or license, for parking purposes, the use of untravelled portions of highways within the municipality to the owners or occupants of adjoining property that is lawfully used for commercial or industrial purposes for such consideration or upon such terms and conditions as may be agreed.

Tax credit
to old age
pensioners

3.—(1) Notwithstanding any general or special Act, the council of the Corporation may by by-law authorize and direct the treasurer of the Corporation to allow a credit equivalent to that portion of the real property taxes imposed by the Corporation for school purposes on payment by any person of the remaining portion of the real property taxes so imposed in respect of any residential real property or any part thereof owned and occupied by such person, or by the husband or wife of such person, or by both, as his, her or their personal residence, where such person, or the husband or wife of such person, or both, have attained the age of seventy years and are receiving a governmental benefit under the *Old Age Security Act* (Canada), provided, however, that no such credit,

R.S.C. 1952,
c. 200

(a) shall exceed the sum of \$100 in any one year;

(b) shall be allowed to any person in respect of more than one such property in any one year;

(c) shall be allowed to any person who has not made application therefor on or before the last day of February in the year in which the real property taxes in respect of which such credit is claimed become due and payable;

(d) shall be allowed to any person unless such person, or the husband or wife of such person, or both, have been assessed as the owner of real property in the

Borough of York, in the Township of York or in the Town of Weston for at least ten of the fifteen years immediately preceding the year in which the application for such a credit is made; or

- (e) shall be allowed to any person unless and until the applicant and the husband or wife of the applicant, if any, have passed whatever means test may be prescribed by the by-law.

4. This Act comes into force on the day it receives Royal ^{Commence-}
Assent. _{ment}

5. This Act may be cited as *The Borough of York Act, 1967*. ^{Short title}

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An Act respecting the Borough of York

1st Reading

February 13th, 1967

2nd Reading

3rd Reading

MR. DUNLOP

(*Private Bill*)

BILL Pr33

5TH SESSION, 27TH LEGISLATURE, ONTARIO
15-16 ELIZABETH II, 1967

An Act respecting the Borough of York

MR. DUNLOP

(Reprinted as amended by the Committee on Private Bills)

An Act respecting the Borough of York

WHEREAS The Corporation of the Borough of York, Preamble
herein called the Corporation, by its petition has prayed
for special legislation in respect of the matters hereinafter
set forth; and whereas it is expedient to grant the prayer of the
petition;

Therefore, Her Majesty, by and with the advice and consent
of the Legislative Assembly of the Province of Ontario, enacts
as follows:

1.—(1) Subsection 2 of section 3 of *The Township of York* 1962-63,
c. 200, s. 3,
subs. 2,
re-enacted
Act, 1962-63 (No. 2) is repealed and the following substituted
therefor:

(2) Before passing a by-law under this section, notice Notice to
electors
of the intention of the Corporation to pass the same
shall be sent by prepaid mail to all persons who are
shown in the last revised assessment roll of the munici-
pality as having the qualifications of municipal
electors in respect of land abutting on the highways
or parts thereof to be designated as aforesaid, at the
addresses respectively shown for such persons in
such roll.

(3) Unless a petition objecting to the passing of the Petition
proposed by-law, signed by at least two-thirds of
the persons entitled to notice as aforesaid, is received
by the borough clerk within one month next follow-
ing the latest day of the mailing of any such notices,
the Corporation may pass the by-law, but, if a peti-
tion objecting to the passing of the proposed by-law,
signed by at least two-thirds of the persons entitled
to notice as aforesaid, is received by the borough
clerk within such time, the Corporation shall not pass
the by-law.

(4) Where the council of the Corporation has proceeded Saving
under this section and has been prevented from
passing the proposed by-law by reason of a petition

objecting thereto having been presented under subsection 3, the council may again proceed under this section in respect of the highways or parts thereof proposed to be designated by such by-law at any time after the expiry of the two years next following the presentation of the petition.

1962-63,
c. 200, s. 3,
amended

(2) The said section 3 is amended by renumbering subsections 3, 4 and 5 as subsections 5, 6 and 7.

1964,
c. 150, s. 4,
subs. 1,
re-enacted

2. Subsection 1 of section 4 of *The Township of York Act, 1964* is repealed and the following substituted therefor:

Use of
untravelling
portions of
highways

(1) The Corporation is authorized and empowered to lease or license, for parking purposes, the use of untravelled portions of highways within the municipality to the owners or occupants of adjoining property that is lawfully used for commercial or industrial purposes for such consideration or upon such terms and conditions as may be agreed.

Tax credit
to old age
pensioners

3.—(1) Notwithstanding any general or special Act, the council of the Corporation may by by-law authorize and direct the treasurer of the Corporation to allow a credit equivalent to that portion of the real property taxes imposed by the Corporation or a school board for school purposes on payment by any person of the remaining portion of the real property taxes so imposed in respect of any residential real property or any part thereof owned and occupied by such person, or by the husband or wife of such person, or by both, as his, her or their personal residence, where such person, or the husband or wife of such person, or both, have attained the age of seventy years and are receiving a governmental benefit under the *Old Age Security Act* (Canada), provided, however, that no such credit,

R.S.C. 1952,
c. 200

- (a) shall exceed the sum of \$100 in any one year;
- (b) shall be allowed to any person in respect of more than one such property in any one year;
- (c) shall be allowed to any person who has not made application therefor on or before the last day of February in the year in which the real property taxes in respect of which such credit is claimed become due and payable;
- (d) shall be allowed to any person unless such person, or the husband or wife of such person, or both, have been assessed as the owner of real property in the

Borough of York, in the Township of York or in the Town of Weston for at least ten of the fifteen years immediately preceding the year in which the application for such a credit is made; or

- (e) shall be allowed to any person unless and until the applicant and the husband or wife of the applicant, if any, have passed whatever means test may be prescribed by the by-law.

4. This Act comes into force on the day it receives Royal ^{Commence-}
Assent._{ment}

5. This Act may be cited as *The Borough of York Act, 1967*. ^{Short title}

An Act respecting the Borough of York

1st Reading

February 13th, 1967

2nd Reading

3rd Reading

MR. DUNLOP

(*Reprinted as amended by the
Committee on Private Bills*)

BILL Pr33

5TH SESSION, 27TH LEGISLATURE, ONTARIO
15-16 ELIZABETH II, 1967

An Act respecting the Borough of York

MR. DUNLOP

(Reprinted as amended by the Committee of the Whole House)

THE REV. JAMES H. HARRIS
 OF THE CHURCH OF THE HOLY TRINITY

THE REV. JAMES H. HARRIS

THE REV. JAMES H. HARRIS

THE REV. JAMES H. HARRIS

BILL Pr33

1967

An Act respecting the Borough of York

WHEREAS The Corporation of the Borough of York, ^{Preamble}
 herein called the Corporation, by its petition has prayed
 for special legislation in respect of the matters hereinafter
 set forth; and whereas it is expedient to grant the prayer of the
 petition;

Therefore, Her Majesty, by and with the advice and consent
 of the Legislative Assembly of the Province of Ontario, enacts
 as follows:

1.—(1) Subsection 2 of section 3 of *The Township of York* ^{1962-63,}
Act, 1962-63 (No. 2) is repealed and the following substituted ^{c. 200, s. 3,}
 therefor: ^{subs. 2,}
^{re-enacted}

- (2) Before passing a by-law under this section, notice ^{Notice to}
 of the intention of the Corporation to pass the same ^{electors}
 shall be sent by prepaid mail to all persons who are
 shown in the last revised assessment roll of the mun-
 icipality as having the qualifications of municipal
 electors in respect of land abutting on the highways
 or parts thereof to be designated as aforesaid, at the
 addresses respectively shown for such persons in
 such roll.
- (3) Unless a petition objecting to the passing of the ^{Petition}
 proposed by-law, signed by at least two-thirds of
 the persons entitled to notice as aforesaid, is received
 by the borough clerk within one month next follow-
 ing the latest day of the mailing of any such notices,
 the Corporation may pass the by-law, but, if a peti-
 tion objecting to the passing of the proposed by-law,
 signed by at least two-thirds of the persons entitled
 to notice as aforesaid, is received by the borough
 clerk within such time, the Corporation shall not pass
 the by-law.
- (4) Where the council of the Corporation has proceeded ^{Saving}
 under this section and has been prevented from
 passing the proposed by-law by reason of a petition

objecting thereto having been presented under subsection 3, the council may again proceed under this section in respect of the highways or parts thereof proposed to be designated by such by-law at any time after the expiry of the two years next following the presentation of the petition.

1962-63,
c. 200, s. 3,
amended

(2) The said section 3 is amended by renumbering subsections 3, 4 and 5 as subsections 5, 6 and 7.

1964,
c. 150, s. 4,
subs. 1,
re-enacted

2. Subsection 1 of section 4 of *The Township of York Act, 1964* is repealed and the following substituted therefor:

Use of
untravelling
portions of
highways

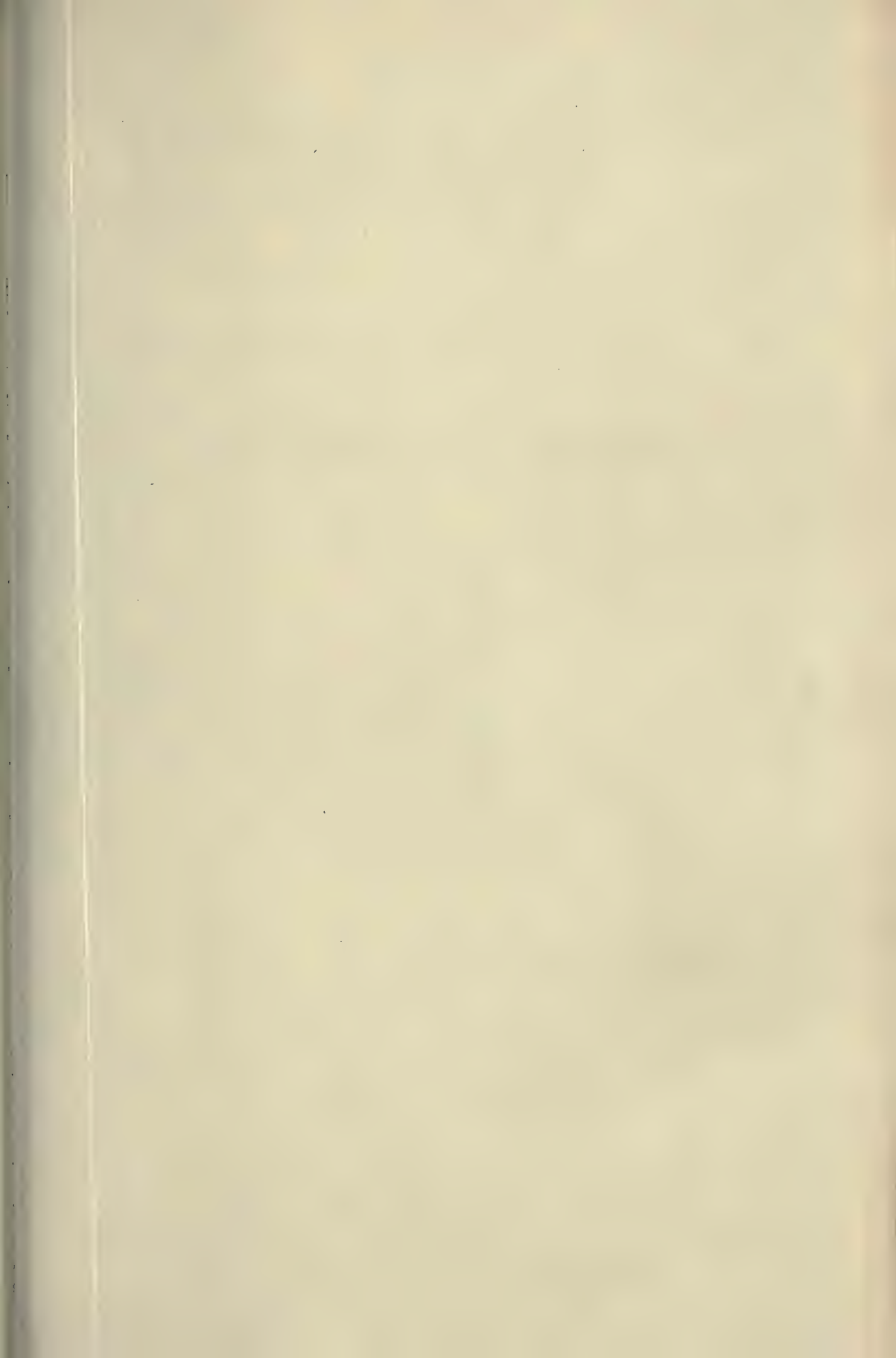
(1) The Corporation is authorized and empowered to lease or license, for parking purposes, the use of untravelled portions of highways within the municipality to the owners or occupants of adjoining property that is lawfully used for commercial or industrial purposes for such consideration or upon such terms and conditions as may be agreed.

Commence-
ment

3. This Act comes into force on the day it receives Royal Assent.

Short title

4. This Act may be cited as *The Borough of York Act, 1967*.



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CHICAGO, ILL. 60637
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U.S.A.

An Act respecting the Borough of York

1st Reading

February 13th, 1967

2nd Reading

April 17th, 1967

3rd Reading

MR. DUNLOP

(Reprinted as amended by the
Committee of the Whole House)

BILL Pr33

5TH SESSION, 27TH LEGISLATURE, ONTARIO
15-16 ELIZABETH II, 1967

An Act respecting the Borough of York

MR. DUNLOP

BILL Pr33

AMENDING THE TOWNSHIP OF YORK ACT

1967

An Act respecting the Borough of York

WHEREAS The Corporation of the Borough of York, ^{Preamble}
 herein called the Corporation, by its petition has prayed
 for special legislation in respect of the matters hereinafter
 set forth; and whereas it is expedient to grant the prayer of the
 petition;

Therefore, Her Majesty, by and with the advice and consent
 of the Legislative Assembly of the Province of Ontario, enacts
 as follows:

1.—(1) Subsection 2 of section 3 of *The Township of York* ^{1962-63,}
Act, 1962-63 (No. 2) is repealed and the following substituted ^{c. 200, s. 3,}
 therefor: ^{subs. 2,}
^{re-enacted}

- (2) Before passing a by-law under this section, notice ^{Notice to}
 of the intention of the Corporation to pass the same ^{electors}
 shall be sent by prepaid mail to all persons who are
 shown in the last revised assessment roll of the munici-
 pality as having the qualifications of municipal
 electors in respect of land abutting on the highways
 or parts thereof to be designated as aforesaid, at the
 addresses respectively shown for such persons in
 such roll.
- (3) Unless a petition objecting to the passing of the ^{Petition}
 proposed by-law, signed by at least two-thirds of
 the persons entitled to notice as aforesaid, is received
 by the borough clerk within one month next follow-
 ing the latest day of the mailing of any such notices,
 the Corporation may pass the by-law, but, if a peti-
 tion objecting to the passing of the proposed by-law,
 signed by at least two-thirds of the persons entitled
 to notice as aforesaid, is received by the borough
 clerk within such time, the Corporation shall not pass
 the by-law.
- (4) Where the council of the Corporation has proceeded ^{Saving}
 under this section and has been prevented from
 passing the proposed by-law by reason of a petition

objecting thereto having been presented under subsection 3, the council may again proceed under this section in respect of the highways or parts thereof proposed to be designated by such by-law at any time after the expiry of the two years next following the presentation of the petition.

1962-63,
c. 200, s. 3,
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(1) The Corporation is authorized and empowered to lease or license, for parking purposes, the use of untravelled portions of highways within the municipality to the owners or occupants of adjoining property that is lawfully used for commercial or industrial purposes for such consideration or upon such terms and conditions as may be agreed.

Commence-
ment

3. This Act comes into force on the day it receives Royal Assent.

Short title

4. This Act may be cited as *The Borough of York Act, 1967*.

nothing is so common as to find a man who is
 a good man, and who is also a good man, and
 who is also a good man, and who is also a good man,
 and who is also a good man, and who is also a good man,
 and who is also a good man, and who is also a good man,

21. The first question is, whether the Government is
 a good man, and who is also a good man, and who is also a good man,

22. The second question is, whether the Government is
 a good man, and who is also a good man, and who is also a good man,

23. The third question is, whether the Government is
 a good man, and who is also a good man, and who is also a good man,

24. The fourth question is, whether the Government is
 a good man, and who is also a good man, and who is also a good man,

25. The fifth question is, whether the Government is
 a good man, and who is also a good man, and who is also a good man,

26. The sixth question is, whether the Government is
 a good man, and who is also a good man, and who is also a good man,

27. The seventh question is, whether the Government is
 a good man, and who is also a good man, and who is also a good man,

An Act respecting the Borough of York

1st Reading

February 13th, 1967

2nd Reading

April 17th, 1967

3rd Reading

June 12th, 1967

MR. DUNLOP

BILL Pr34

5TH SESSION, 27TH LEGISLATURE, ONTARIO
15-16 ELIZABETH II, 1967

An Act respecting the City of Ottawa

MR. LAWRENCE (Russell)

(PRIVATE BILL)

TABLE I

THE EFFECT OF THE TEMPERATURE OF THE MEDIUM ON THE GROWTH OF THE BACTERIA

THE GROWTH OF THE BACTERIA IN THE MEDIUM

TEMPERATURE OF THE MEDIUM	GROWTH OF THE BACTERIA				
	1	2	3	4	5
10°C	0.1	0.2	0.3	0.4	0.5
20°C	0.2	0.3	0.4	0.5	0.6
30°C	0.3	0.4	0.5	0.6	0.7
40°C	0.4	0.5	0.6	0.7	0.8
50°C	0.5	0.6	0.7	0.8	0.9
60°C	0.6	0.7	0.8	0.9	1.0
70°C	0.7	0.8	0.9	1.0	1.1
80°C	0.8	0.9	1.0	1.1	1.2
90°C	0.9	1.0	1.1	1.2	1.3
100°C	1.0	1.1	1.2	1.3	1.4

THE GROWTH OF THE BACTERIA

BILL Pr34

1967

An Act respecting the City of Ottawa

WHEREAS The Corporation of the City of Ottawa, ^{Preamble}
 herein called the Corporation, by its petition has prayed
 for special legislation in respect of the matters hereinafter
 set forth; and whereas it is expedient to grant the prayer of
 the petition;

Therefore, Her Majesty, by and with the advice and consent
 of the Legislative Assembly of the Province of Ontario, enacts
 as follows:

1. Notwithstanding By-law AZ-64 of the City of Ottawa ^{Temporary dwelling accommodation for Centennial Year}
 entitled, "A by-law of The Corporation of the City of Ottawa
 respecting the use of land and the erection or use of buildings
 in the City of Ottawa", the council of the Corporation may
 pass by-laws to permit temporary dwelling accommodation
 during the period from the 1st day of May, 1967 to the 31st
 day of October, 1967 in any dwelling unit in the City of
 Ottawa that is approved for the purpose by the council of the
 Corporation, but the use of such accommodation shall not
 constitute the establishment of a right to continue the non-
 conforming use after the 31st day of October, 1967.

2. Notwithstanding subsection 5a of section 379a of *The* ^{Shop closing on Remembrance Day}
Municipal Act, the Corporation may pass by-laws requiring
 that all or any class or classes of shops in the City of Ottawa,
 as defined in clause b of subsection 1 of the said section 379a, ^{R.S.O. 1960, c. 249}
 shall close and remain closed on the 11th day of November
 of each year until 12.30 o'clock in the afternoon.

3. Notwithstanding paragraph 114 of subsection 1 of ^{Anti-noise by-law}
 section 379 of *The Municipal Act*, the Corporation may pass
 by-laws to regulate or prohibit the making or causing of noises
 or sounds in or on a highway or elsewhere in the municipality
 that disturb or tend to disturb the quiet, peace, rest, enjoy-
 ment, comfort or convenience of the neighbourhood or of per-
 sons in the vicinity or that, in the opinion of the council of the
 Corporation, are objectionable or liable to disturb the quiet,
 peace, rest, enjoyment, comfort or convenience of individuals
 or the public.

1952,
c. 130, s. 1,
subs. 4
(1966,
c. 179,
s. 10),
amended

4. Subsection 4 of section 1 of *The City of Ottawa Act, 1952*, as re-enacted by section 10 of *The City of Ottawa Act, 1966*, is amended by striking out "but which shall not exceed 6 per cent per annum" in the seventh and eighth lines, so that the subsection shall read as follows:

Lien for
advances
and
repayment

- (4) When the Corporation has advanced money as provided in subsection 3, it shall, upon the registration of a certificate under subsection 5, have a lien upon the dwelling in respect of which the advance was made for the amount of the advance, together with interest thereon at a rate to be fixed from time to time by the council of the Corporation, and the amount of the advance with the interest thereon is repayable to the Corporation by the owner of the dwelling in equal consecutive annual payments, which shall be collected over a period of years to be determined by the council of the Corporation and which period shall not exceed ten years but need not be the same in the case of each advance, and, if default is made with respect to any of the payments hereinbefore provided, the whole of the balance of the advance, together with accrued interest thereon at the time of default, becomes due and payable forthwith, and the amount of such balance, including interest, shall be added to the collector's roll of taxes for the current year and shall be collected in the same manner as municipal taxes.

Develop-
ment
control

5.—(1) By-laws may be passed by the council of the Corporation for requiring the establishment, construction, preservation and maintenance of the following facilities within the City of Ottawa, or within any defined area or areas thereof, as a condition precedent to the development or redevelopment of any land, and for regulating and controlling such facilities:

1. Access ramps between private land and the travelled portion of a public street, lane or highway, the location thereof and the direction of traffic thereon.
2. The grading of private lands and the disposal of storm and waste water therefrom.
3. Garbage vaults and central garbage storage and collection areas.
4. Floodlighting of any building or structure.
5. Surfacing of parking areas, including curbs, pavements and sidewalks.

6. Walls, fences, hedges and strip-planting of trees or shrubs, to provide a buffer zone between land use zones.

7. Removal of snow.

(2) Such by-laws may, *to provide for a better use of* Idem

- (a) provide that, without cost, easements necessary for public facilities serving only the proposed development shall be conveyed to the Corporation;
- (b) prohibit the issuance of building permits until all requirements of the by-laws have been met and, in the case of undeveloped commercial or multi-family blocks or the redevelopment thereof, until site plans have been submitted to and approved by the Corporation;
- (c) provide that all works required by the by-laws or of any nature incidental or necessary to the development shall be carried out by the owner of the lands being developed at his risk and expense and, where such works are on a road allowance, to the satisfaction of the Corporation;
- (d) provide that the construction and maintenance of any works, including curbs, pavements, plantings and other improvements, shall at all times be at the sole risk and expense of the owner of the lands being developed;
- (e) provide that any loss, costs and damages, which the Corporation may suffer, be at or be put to for or by reason or on account of the construction, maintenance or existence of such works, shall constitute a first lien and charge upon such lands and shall be collectible in like manner as municipal taxes.

(3) A by-law shall not be passed under subsection 1 until at least seven days after notice of the intention to pass the by-law has been published twice, the publications being at least seven days apart. ^{Publication of notice}

(4) Any person aggrieved by the provisions of a by-law or an amending by-law passed under the authority of this section may, within thirty days after the passage of the by-law or amending by-law, appeal to the Ontario Municipal Board, ^{Appeal}

and the Board shall hear the appeal and dismiss the same or direct that the by-law or amending by-law be amended in accordance with its order.

Copies of
decision
to be
supplied

(5) Where an application has been made to the Ontario Municipal Board in respect of a by-law passed under this section, a copy of the decision of the Board with respect to the application shall be supplied by the Board to the applicant and to each person who appeared in person or by counsel at the hearing of the application and who filed with the Board or the Secretary of the Board a written request for notice of the decision.

Commence-
ment

6. This Act comes into force on the day it receives Royal Assent.

Short title

7. This Act may be cited as *The City of Ottawa Act, 1967*.

An Act respecting the City of Ottawa

1st Reading

February 13th, 1967

2nd Reading

3rd Reading

MR. LAWRENCE (Russell)

(Private Bill)

BILL Pr34

5TH SESSION, 27TH LEGISLATURE, ONTARIO
15-16 ELIZABETH II, 1967

An Act respecting the City of Ottawa

MR. LAWRENCE (Russell)

(Reprinted as amended by the Committee on Private Bills)

THE UNIVERSITY OF CHICAGO
LIBRARY

THE UNIVERSITY OF CHICAGO

THE UNIVERSITY OF CHICAGO

THE UNIVERSITY OF CHICAGO

BILL Pr34

1967

An Act respecting the City of Ottawa

WHEREAS The Corporation of the City of Ottawa, ^{Preamble} herein called the Corporation, by its petition has prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Notwithstanding By-law AZ-64 of the City of Ottawa entitled, "A by-law of The Corporation of the City of Ottawa respecting the use of land and the erection or use of buildings in the City of Ottawa", the council of the Corporation may pass by-laws to permit temporary dwelling accommodation during the period from the 1st day of May, 1967 to the 31st day of October, 1967 in any dwelling unit in the City of Ottawa that is approved for the purpose by the council of the Corporation, but the use of such accommodation shall not constitute the establishment of a right to continue the non-conforming use after the 31st day of October, 1967. ^{Temporary dwelling accommodation for Centennial Year}

2. Notwithstanding subsection 5a of section 379a of *The Municipal Act*, the Corporation may pass by-laws requiring that all or any class or classes of shops in the City of Ottawa, as defined in clause b of subsection 1 of the said section 379a, shall close and remain closed on the 11th day of November of each year until 12.30 o'clock in the afternoon. ^{Shop closing on Remembrance Day R.S.O. 1960, c. 249}

3. Subsection 4 of section 1 of *The City of Ottawa Act, 1952*, ^{1952, c. 130, s. 1,} as re-enacted by section 10 of *The City of Ottawa Act, 1966*, ^{subs. 4 (1966, c. 179, s. 10),} is amended by striking out "but which shall not exceed 6 per cent per annum" in the seventh and eighth lines, so that the amended subsection shall read as follows:

- (4) When the Corporation has advanced money as ^{Lien for advances and repayment} provided in subsection 3, it shall, upon the registration of a certificate under subsection 5, have a

lien upon the dwelling in respect of which the advance was made for the amount of the advance, together with interest thereon at a rate to be fixed from time to time by the council of the Corporation, and the amount of the advance with the interest thereon is repayable to the Corporation by the owner of the dwelling in equal consecutive annual payments, which shall be collected over a period of years to be determined by the council of the Corporation and which period shall not exceed ten years but need not be the same in the case of each advance, and, if default is made with respect to any of the payments hereinbefore provided, the whole of the balance of the advance, together with accrued interest thereon at the time of default, becomes due and payable forthwith, and the amount of such balance, including interest, shall be added to the collector's roll of taxes for the current year and shall be collected in the same manner as municipal taxes.

1966,
c. 179, s. 4,
subs. 4,
amended

4. Subsection 4 of section 4 of *The City of Ottawa Act, 1966* is amended by striking out "but which shall not exceed 6 per cent per annum" in the sixth and seventh lines, so that the subsection shall read as follows:

Lien for
advances
and
repayment

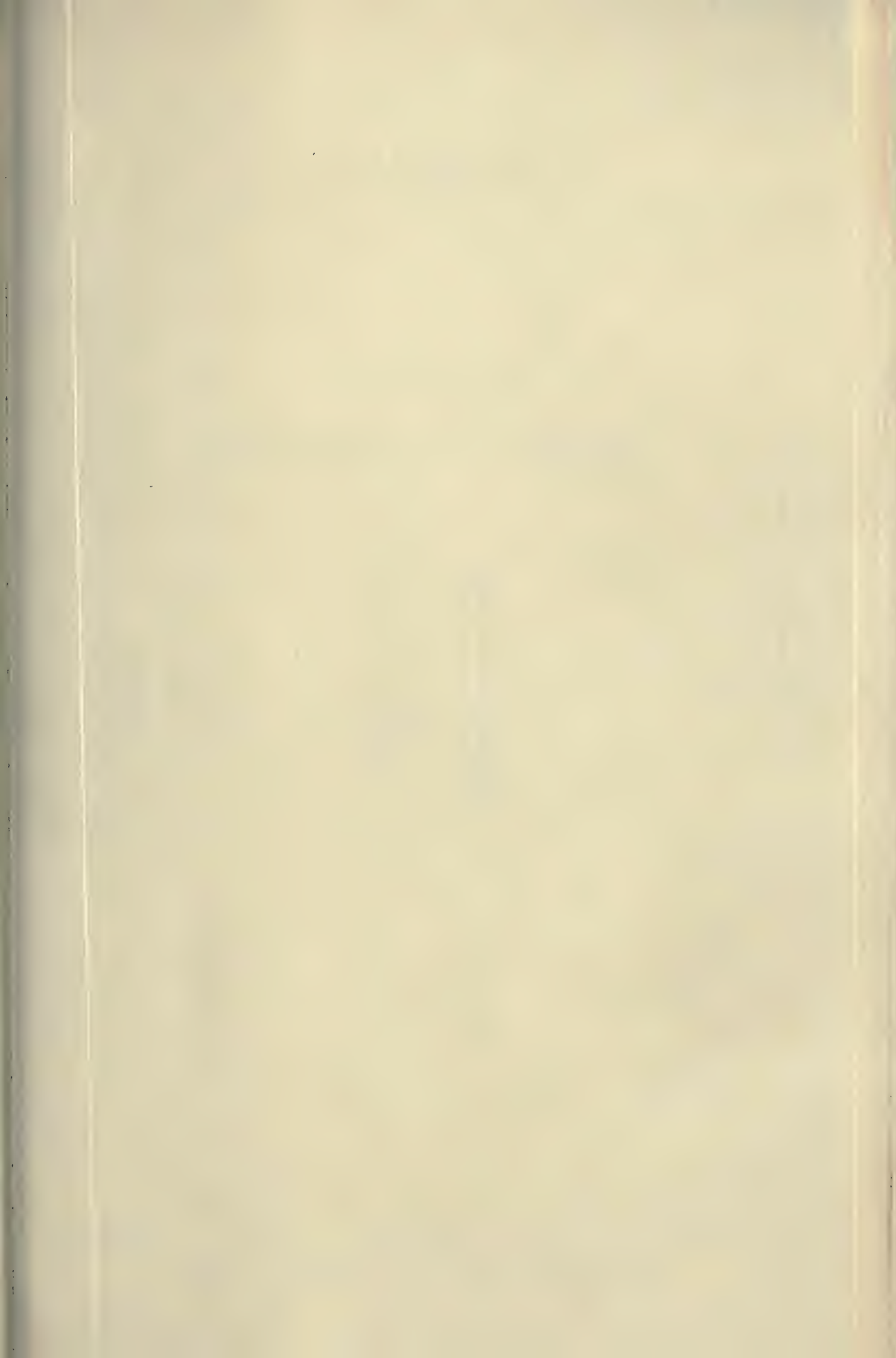
- (4) When the Corporation has advanced money as provided in subsection 3, it shall, upon the registration of a certificate under subsection 5, have a lien upon the non-residential property in respect of which the advance was made for the amount of the advance, together with interest thereon at a rate to be fixed from time to time by the council, and the amount of the advance with the interest thereon is repayable to the Corporation by the owner of the non-residential property in equal consecutive annual payments, which shall be collected over a period of years to be determined by the council and which period shall not exceed ten years but need not be the same in the case of each advance, and, if default is made with respect to any of the payments hereinbefore provided, the whole of the balance of the advance, together with accrued interest thereon at the time of default, becomes due and payable forthwith, and the amount of such balance, including interest, shall be added to the collector's roll of taxes for the current year and shall be collected in the same manner as municipal taxes.

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ment

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Short title

6. This Act may be cited as *The City of Ottawa Act, 1967*.



An Act respecting the City of Ottawa

1st Reading

February 13th, 1967

2nd Reading

3rd Reading

MR. LAWRENCE (Russell)

*(Reprinted as amended by the
Committee on Private Bills)*

BILL Pr34

5TH SESSION, 27TH LEGISLATURE, ONTARIO
15-16 ELIZABETH II, 1967

An Act respecting the City of Ottawa

MR. LAWRENCE (Russell)

TORONTO

PRINTED AND PUBLISHED BY FRANK FOGG, QUEEN'S PRINTER

BILL Pr34

1967

An Act respecting the City of Ottawa

WHEREAS The Corporation of the City of Ottawa, Preamble
herein called the Corporation, by its petition has prayed
for special legislation in respect of the matters hereinafter
set forth; and whereas it is expedient to grant the prayer of
the petition;

Therefore, Her Majesty, by and with the advice and consent
of the Legislative Assembly of the Province of Ontario, enacts
as follows:

1. Notwithstanding By-law AZ-64 of the City of Ottawa Temporary dwelling accommodation for Centennial Year
entitled, "A by-law of The Corporation of the City of Ottawa
respecting the use of land and the erection or use of buildings
in the City of Ottawa", the council of the Corporation may
pass by-laws to permit temporary dwelling accommodation
during the period from the 1st day of May, 1967 to the 31st
day of October, 1967 in any dwelling unit in the City of
Ottawa that is approved for the purpose by the council of the
Corporation, but the use of such accommodation shall not
constitute the establishment of a right to continue the non-
conforming use after the 31st day of October, 1967.

2. Notwithstanding subsection 5a of section 379a of *The Shop closing on Remembrance Day*
Municipal Act, the Corporation may pass by-laws requiring
that all or any class or classes of shops in the City of Ottawa,
as defined in clause b of subsection 1 of the said section 379a, R.S.O. 1960, c. 249
shall close and remain closed on the 11th day of November
of each year until 12.30 o'clock in the afternoon.

3. Subsection 4 of section 1 of *The City of Ottawa Act, 1952*, 1952, c. 130, s. 1, subs. 4 (1966, c. 179, s. 10), amended
as re-enacted by section 10 of *The City of Ottawa Act, 1966*,
is amended by striking out "but which shall not exceed 6 per
cent per annum" in the seventh and eighth lines, so that the
subsection shall read as follows:

(4) When the Corporation has advanced money as Lien for advances and repayment
provided in subsection 3, it shall, upon the regis-
tration of a certificate under subsection 5, have a

lien upon the dwelling in respect of which the advance was made for the amount of the advance, together with interest thereon at a rate to be fixed from time to time by the council of the Corporation, and the amount of the advance with the interest thereon is repayable to the Corporation by the owner of the dwelling in equal consecutive annual payments, which shall be collected over a period of years to be determined by the council of the Corporation and which period shall not exceed ten years but need not be the same in the case of each advance, and, if default is made with respect to any of the payments hereinbefore provided, the whole of the balance of the advance, together with accrued interest thereon at the time of default, becomes due and payable forthwith, and the amount of such balance, including interest, shall be added to the collector's roll of taxes for the current year and shall be collected in the same manner as municipal taxes.

1966,
c. 179, s. 4,
subs. 4,
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4. Subsection 4 of section 4 of *The City of Ottawa Act, 1966* is amended by striking out "but which shall not exceed 6 per cent per annum" in the sixth and seventh lines, so that the subsection shall read as follows:

Lien for
advances
and
repayment

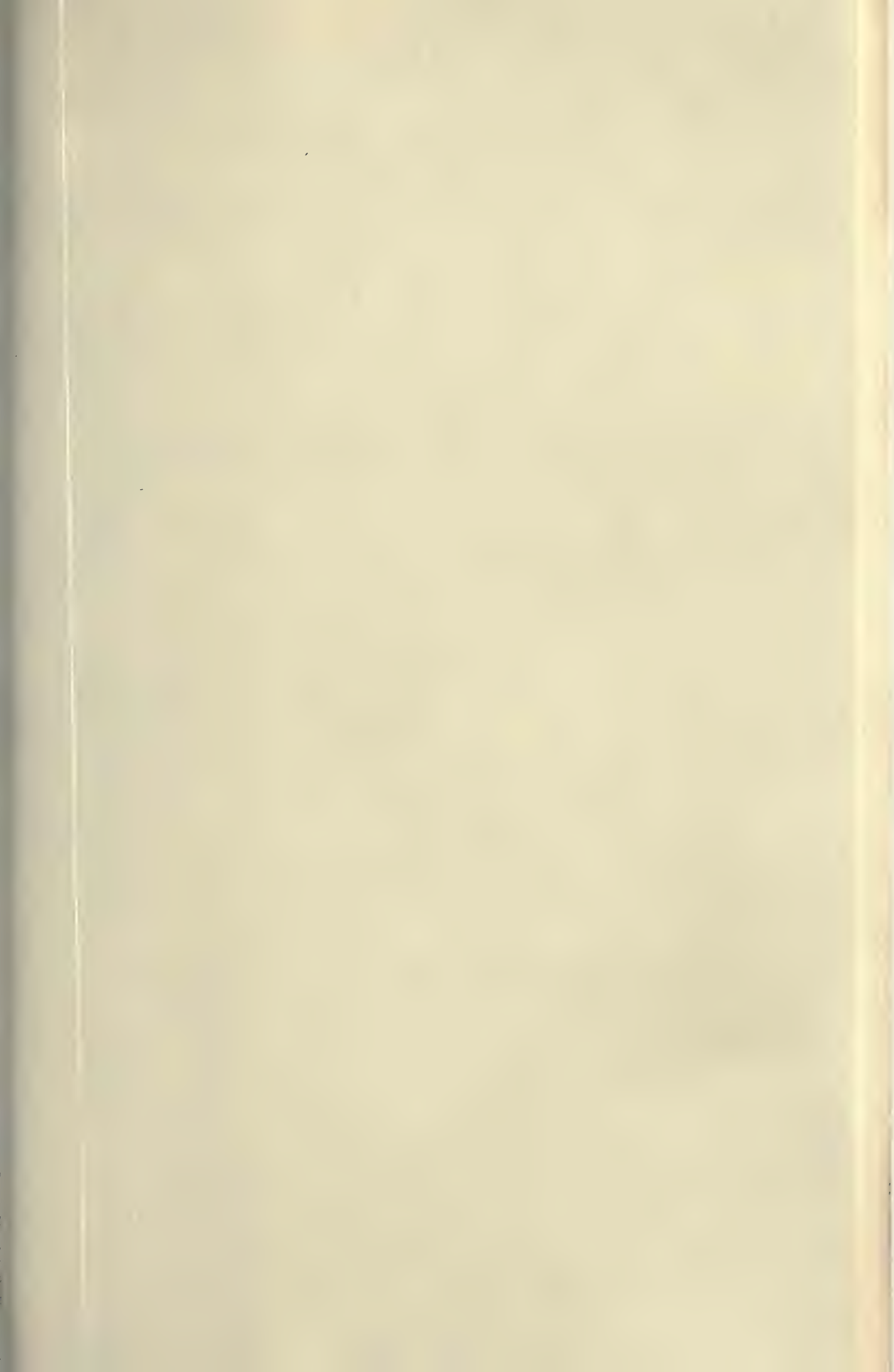
- (4) When the Corporation has advanced money as provided in subsection 3, it shall, upon the registration of a certificate under subsection 5, have a lien upon the non-residential property in respect of which the advance was made for the amount of the advance, together with interest thereon at a rate to be fixed from time to time by the council, and the amount of the advance with the interest thereon is repayable to the Corporation by the owner of the non-residential property in equal consecutive annual payments, which shall be collected over a period of years to be determined by the council and which period shall not exceed ten years but need not be the same in the case of each advance, and, if default is made with respect to any of the payments hereinbefore provided, the whole of the balance of the advance, together with accrued interest thereon at the time of default, becomes due and payable forthwith, and the amount of such balance, including interest, shall be added to the collector's roll of taxes for the current year and shall be collected in the same manner as municipal taxes.

Commence-
ment

5. This Act comes into force on the day it receives Royal Assent.

Short title

6. This Act may be cited as *The City of Ottawa Act, 1967*.



An Act respecting the City of Ottawa

1st Reading

February 13th, 1967

2nd Reading

March 20th, 1967

3rd Reading

March 22nd, 1967

MR. LAWRENCE (Russell)

BILL Pr35

5TH SESSION, 27TH LEGISLATURE, ONTARIO
15-16 ELIZABETH II, 1967

An Act respecting The Board of Education for the City of London

MR. WHITE

(PRIVATE BILL)

THE UNIVERSITY OF CHICAGO
LIBRARY

THE HISTORY OF THE CITY OF CHICAGO
BY HENRY D. HARRIS

Vol. I

1837-1854

CHICAGO: THE UNIVERSITY OF CHICAGO PRESS
1892

BILL Pr35

1967

**An Act respecting
The Board of Education for the City of London**

WHEREAS The Board of Education for the City of London, herein called the Board, by its petition has represented that on the 12th day of July, 1927, it entered into a contract of group life insurance for its employees and its superannuated employees; and whereas the petitioner has prayed for special legislation to ratify the agreement as it applied to superannuated employees and to authorize the petitioner to continue to provide group life insurance for superannuated employees; and whereas it is expedient to grant the prayer of the petition; Preamble

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1.—(1) Subject to subsection 2, the contract of group life insurance entered into between the Board and The London Life Insurance Company dated the 12th day of July, 1927, set forth in the Schedule hereto, shall be deemed to have been validly entered into and to be legal and binding upon the parties thereto and all payments, acts and matters carried out or done thereunder are hereby ratified and confirmed. Contract validated

(2) The Board may continue to contribute toward the cost of group life insurance for superannuated employees and active employees in accordance with the said contract, so long as the Board's contributions do not exceed the limits set out in subsection 3 of section 41 of *The Schools Administration Act*, as amended from time to time. Contributions by Board
R.S.O. 1960,
c. 361

(3) The Board may apply any dividends or bonuses as declared under the Policy of Insurance toward the purchase of paid up insurance for superannuated or active employees and such applications of dividends or bonuses shall not be deemed to be contributions of the Board within the meaning of subsection 3 of section 41 of *The Schools Administration Act*, as amended from time to time. Idem

SCHEDULE

THE LONDON LIFE INSURANCE COMPANY

Group Policy No. G-266 LONDON CANADA (*Herein called the Company*)

HEREBY INSURES THE LIVES OF

those employees of THE BOARD OF EDUCATION of London, Canada,
(*Herein called the Employer*)

who are eligible for insurance in accordance with the Formula on the second page hereof and who make written application for insurance as hereinafter provided, the terms and particulars of the insurance under this Policy being as hereinafter set forth.

Plan of Insurance:

The insurance under this Policy is Term Insurance, commencing at noon Standard Time at the place of employment on the Twelfth day of July 1927, herein referred to as the Effective Date; and such insurance shall, subject to the terms of the Policy, be automatically continued in force upon condition of the payment of premiums as hereinafter provided.

Payment of Sum Insured:

The amount for which any employee is insured hereunder in accordance with the Formula and as set forth in the Register hereinafter described, shall be payable by the Company at its Head Office, in lawful money of Canada, upon receipt of proof that such employee has died while so insured.

Payment in the event of Total and Permanent Disability shall be made under the conditions set forth in Clause 15.

Beneficiary:

The amount payable in the event of the death of any such employee shall be for the benefit of the Beneficiary designated by such employee and named in the Register herein referred to, subject to change of Beneficiary in accordance with Clause 11. If there be no Beneficiary entitled, the amount payable shall be for the benefit of the executors, administrators or assigns of such employee.

Premiums:

Premiums calculated in accordance with the provisions relating thereto on the subsequent pages hereof, are payable quarterly in advance on the Twelfth day of each month of July, October, January and April during the continuance of this Policy, the first premium becoming due and payable on the above-mentioned Effective Date.

Policy Years:

In the interpretation of this contract the Policy years and months are to be computed from the said Effective Date.

This Policy shall be subject to all the provisions set forth on the subsequent pages hereof and to Clause 18 attached hereto.

WITNESS the seal of the Company, the signatures of the President, General Manager and Registrar of the Company, this Fifth day of October A.D. Nineteen Hundred and Twenty-seven.

THE LONDON LIFE INSURANCE CO.,
LONDON, CANADA:

ALBERT O. JEFFERY,
President.

EDWARD E. REID,
General Manager.

[Seal]

H. R. LAURIE,
Registrar.

PRIVILEGES AND CONDITIONS

1. *Formula:*

ELIGIBILITY

The following are eligible to make application for insurance hereunder:

- (a) All permanent employees who are actively employed by the Employer on the Effective Date of this Policy, or if not so employed, on their return to active service;
- (b) All employees who subsequent to the Effective Date become permanent employees of the Employer; and such employees shall be eligible to make application on the date of becoming so employed.

COVERAGE

Each eligible employee shall be entitled to secure an amount of insurance in accordance with the class of employee to which he belongs as shown in the following schedule:

Executive Heads	\$5,000.00
Male Teachers and Attendance Officer	2,000.00
Female Teachers	1,000.00
All other permanent employees	1,000.00

All Employees who are superannuated after the Effective Date of this Policy shall be entitled to continue their insurance for the same amount as they were insured on the date of superannuation.

2. *Individual Certificate:*

The Company will issue to the Employer for delivery to each person whose life is insured hereunder an individual certificate setting forth the insurance protection to which such person is entitled hereunder.

3. *Payment of Premiums:*

All premiums are payable in advance at the Head Office of the Company, but may be paid elsewhere in exchange for the Company's printed receipt, signed by the President or a Vice-President, and the General Manager or Assistant Manager, and countersigned by an authorized agent of the Company.

Thirty-one days' grace is allowed for the payment of all premiums except the first, during which time this Policy shall remain in force. If any premium be not paid within the days of grace, this Policy shall thereupon become void, but a *pro rata* premium shall, nevertheless, be paid for the days of grace or for the period between the date on which the premium became due and the date of written notice to the Company that the insurance will not be renewed.

The amount of each premium payable under this Policy shall be the aggregate of the several amounts payable in respect of each person insured hereunder at the time such premium falls due, calculated on the basis of the amount of insurance on the life of such person and his attained age (at nearest birthday) at the beginning of the then current Policy year in accordance with the table following.

The Table of Premiums as set forth below may be changed by the Company at the end of any Policy year, provided not less than six months' notice in writing shall have been given to the Employer.

Table of Quarterly Premiums for \$1,000 of Insurance

Attained Age Nearest Birthday	Premium	Attained Age Nearest Birthday	Premium	Attained Age Nearest Birthday	Premium
15	\$1.37	35	\$1.72	55	\$5.07
16	1.39	36	1.76	56	5.47
17	1.42	37	1.81	57	5.92
18	1.44	38	1.87	58	6.40
19	1.47	39	1.93	59	6.92
20	1.50	40	2.00	60	7.49
21	1.52	41	2.09	61	8.11
22	1.55	42	2.19	62	8.78
23	1.57	43	2.29	63	9.52
24	1.58	44	2.42	64	10.31
25	1.60	45	2.56	65	11.18
26	1.61	46	2.71	66	12.10
27	1.62	47	2.88	67	13.12
28	1.63	48	3.07	68	14.21
29	1.63	49	3.28	69	15.39
30	1.64	50	3.51	70	16.66
31	1.64	51	3.77	71	18.04
32	1.65	52	4.05	72	19.52
33	1.67	53	4.36	73	21.12
34	1.70	54	4.70	74	22.84

4. *Stipulation:*

It is hereby specifically agreed that,

- (a) at least seventy-five per cent of the employees eligible to make application for insurance under this Policy must have done so before any insurance under this Policy will become effective;
- (b) if any Employee who is not insured under this Policy on the Effective Date does not make application for insurance within ninety days after such date or after the date on which he becomes eligible for insurance, or if any employee re-applies for insurance after his insurance has been cancelled for any reason other than

termination of employment, such employee shall be required to furnish evidence of insurability satisfactory to the Company before becoming insured hereunder;

- (c) the Company reserves the right to decline to continue this Policy in force on any anniversary of the Effective Date hereof when the number of Employees insured hereunder is less than seventy-five per cent of those eligible for insurance on such anniversary;
- (d) the contribution from any individual employee for the insurance carried on such employee's life shall not be at a higher rate than sixty cents per month per \$1,000 of insurance.

5. *Register:*

A Register shall be kept by the Company (in card index form) which shall show the names of all Employees insured hereunder, and the amount of insurance on each of such Employees. Copy of said Register, as of the date of this Policy, is furnished to the Employer herewith and made part hereof, and copies of entries in said Register subsequent to said date will be furnished by the Company to the Employer and will thereupon become a part hereof.

6. *Cancellation of Insurance:*

The insurance on each employee insured hereunder shall, subject to the other terms of this Policy, continue until written request shall have been given to the Company by the Employer for cancellation of said insurance. If such request is received at the Head Office of the Company within thirty-one days after the date stated therein by the Employer for cancellation of the insurance, the insurance on such life shall terminate from the date stated in such request; but if more than thirty-one days shall have elapsed from the date for cancellation stated in the Employer's request, the insurance shall terminate from the date upon which such request is received by the Company. Refund of premiums in such cases shall be made in accordance with Clause 9 hereof. If failure to make such written request be due to clerical error on the part of the Employer, the premium refund shall be calculated from the date on which the insurance would, but for such error, have been cancelled.

7. *New Employees:*

Each new employee of the Employer shall be insured hereunder in accordance with the Formula, provided such employee makes written application for such insurance, on forms furnished by the Company, within the time and in accordance with the provisions specified in Clause 4 hereof, and the insurance on such new employee shall, unless otherwise provided herein, be effective on the date on which he becomes eligible for insurance or the date of such written application, whichever is the later. The Employer agrees to furnish to the Company the names and individual applications of such employees as they make application for insurance hereunder together with the data necessary for the purposes of the insurance; and the name of each such employee so reported, together with the amount of insurance issued, shall be entered by the Company in the said Register as of the date upon which the insurance on such employee is to take effect.

8. *Change in Amount of Insurance:*

The amount of insurance on any employee insured hereunder shall be automatically increased or decreased in accordance with the Formula. Where such increases or decreases in insurance are based on facts other than length of service of the employee, the Employer agrees to report to the Company in writing the names of all employees insured hereunder upon whose lives insurance is to be increased or decreased, together with the data necessary to compute the amount of such increase or decrease. (This clause shall be inapplicable if no increase or decrease of insurance is provided in the Formula set forth herein.)

9. *Premium Adjustment:*

Premium adjustment shall be made on account of changes in the insurance under this Policy, as follows:

There shall be refunded to the Employer any unearned premium paid on account of any employee insured hereunder whose insurance has been cancelled or decreased, such premium being calculated on a *pro rata* basis in respect of the period elapsing between the date the insurance terminates and the date to which the premium is paid.

There shall be charged to the Employer the premium for new insurance granted to employees becoming insured or for increases in insurance, such premium being calculated on a *pro rata* basis in respect of the period elapsing between the date the insurance becomes effective and the date when the next premium falls due.

In the calculation of premium adjustments an average premium shall be used, such average premium being determined by dividing the whole premium due at the beginning of the then current Policy year by the number of thousands of dollars of insurance in force under this Policy at the beginning of such year; and in the determination of the premium in respect of any period on a *pro rata* basis any portion of a Policy month less than one-half thereof shall be ignored and any portion of a Policy month greater than one-half thereof shall be treated as a full month.

10. *Conversion:*

In case of the termination of insurance on the life of any employee insured hereunder on account of such employee leaving the service of the Employer for any reason whatsoever, such employee shall have the right, upon written application to the Company within thirty-one days after such termination of insurance, to obtain, without medical examination, a new Policy on any one of the regular plans then issued by the Company, except Term Insurance, without Disability or Double Indemnity Benefits, for an amount not exceeding the amount for which said employee was insured hereunder at the time of such termination of insurance; the premium for such Policy to be at the then current rates of the Company, applicable to the class of risk to which such person belongs and to the plan and amount of Policy at the then attained age of such employee.

10A. *Conversion (Continued):*

Under the conditions specified in Clause 10 regarding conversion of insurance in case of termination of employment, an employee may secure a new policy dated as of the date when such employee became insured hereunder, on any one of the regular plans of insurance then issued by the Company, except Term Insurance, without Disability or Double Indemnity Benefits, at the premium which would have been payable if such new policy had been issued on the date when the insurance on such employee became effective hereunder, provided that there shall be payable to the Company the difference, with interest compounded annually at such rate not exceeding seven per cent as the Directors may determine, between the premiums which would have been payable under the new policy, reduced by any dividends which would have been payable, and the amount of the premiums paid to the Company in respect of the insurance on the life of such employee under this policy, reduced by any dividends in respect of such insurance.

H. R. LAURIE,
Registrar.

11. *Beneficiary:*

Any employee insured hereunder may, subject to the provisions of the law governing the same, appoint a beneficiary or may change the beneficiary already appointed or may declare that the insurance shall be for the benefit of his estate, by writing signed by such employee and deposited by the Employer with the Company at its Head Office.

12. *Age:*

If the age of any employee insured hereunder has been misstated, the amount payable under this contract shall be the full amount of insurance in force hereunder on such life, but premium adjustment shall be made so that the Employer shall pay to the Company arrears of premiums for the full time such insurance has been in force if the age has been understated, and the Company shall refund to the Employer the excess premiums paid if the age has been overstated.

13. *Incontestability:*

If the premiums are duly paid, this Policy shall, except in case of fraud or of error in age, be incontestable as to the insurance upon the life of any person insured hereunder after one year from the date on which the insurance on the life of such person commenced.

14. *Entire Contract Contained in Policy:*

This Policy, including the copy of the Register herein referred to, the application of the Employer, a copy of which is attached hereto, and the individual applications of the employees, shall constitute the entire contract between the parties. All statements made by the Employer or by any employee shall, in the absence of fraud, be deemed representations and not warranties and no such statement shall be used in defence to a claim under this Policy unless it is contained in a written application for the insurance and a copy of such application is attached to this Policy or delivered to the Employer to be so attached. This contract cannot be altered or varied in any way except in writing signed by the President, a Vice-President, the General Manager, Registrar or Assistant Registrar of the Company, and any interlineations, additions or alterations must be signed or initialed by one of the aforesaid officers.

15. *Disability Benefits:*

If evidence satisfactory to the Company is received at its Head Office that any employee while insured hereunder has become totally and permanently disabled by accident, injury, or disease before attaining the age of sixty years, so that he will be permanently, continuously and wholly prevented thereby from performing any work for compensation or profit, then, subject to the provisions of the second paragraph hereof, the Company will, in lieu of all other benefits provided for on such life under this Policy, waive that portion of each premium applicable to the insurance on the life of such disabled person, that may become payable thereafter under this Policy during such disability, and in addition to such waiver will pay to such employee the amount of insurance then in force on his life in the following manner: For each \$1,000 of such insurance, payment will, subject to election by the Employer, be made in five annual instalments of \$214.00 each, ten annual instalments of \$116.00 each, fifteen annual instalments of \$84.00 each, twenty annual instalments of \$68.00 each, or sixty monthly instalments of \$18.00 each, the first instalment being payable upon receipt of the said evidence of disability; or in lieu of payment in instalments the Employer may, subject to the approval of the Company, elect to have such insurance immediately paid in one sum. If the said employee dies during the period of total and permanent disability, any instalments remaining unpaid shall be payable as they become due to the Beneficiary of such employee, and such Beneficiary shall have the right to commute such remaining instalments into one sum on an interest basis of three and one-half per cent per annum.

Provided always that, notwithstanding such evidence of disability may have been accepted by the Company, the said employee shall during the continuance of any instalment payments, furnish satisfactory evidence of the continuance of such disability as often as required by the Company, but not oftener than once a year after such disability shall have continued for two full years. If said employee shall fail to furnish such evidence or if he shall so far recover as to be able to engage in any gainful occupation, then further waiver of premiums and payment of instalments on account

of such employee shall cease. Any further insurance on the life of such employee shall be limited to the commuted value, on an interest basis of three and one-half per cent, per annum, of the instalments remaining unpaid on account of such person at the time of such recovery.

Without prejudice to any other cause of total and permanent disability, the Company will consider the entire and irrecoverable loss of the sight of both eyes, or the total and permanent loss of use of both hands, or of both feet, or of one entire hand and one entire foot, as total and permanent disability within the meaning of this provision.

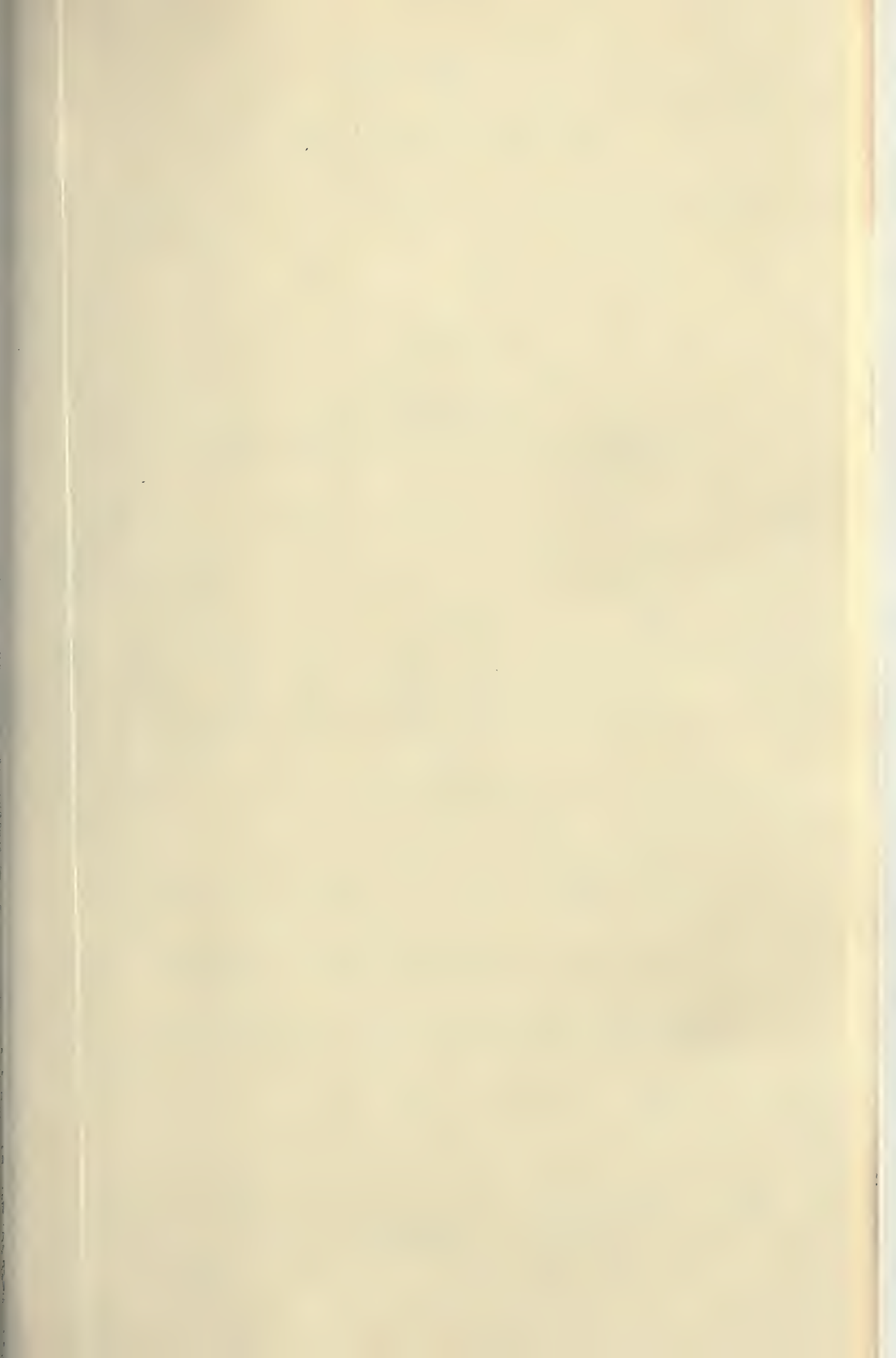
The amounts of the instalments above provided are based on an assumed interest earning of three and one-half per cent. If a higher rate of interest be earned, an interest dividend of such amount as the Company may each year determine shall be payable annually after the first instalment falls due.

16. *Instalment Settlement:*

Any employee insured hereunder may, by filing a written notice at the Head Office of the Company, change the terms of payment of the insurance hereunder on his life so that the Company, instead of paying such insurance in one sum, will make settlement by the payment of instalments of such amount not less than ten dollars and at such intervals as such employee may, with the approval of the Company, stipulate; or if no such notice shall have been filed prior to the death of such employee, the Employer may under like conditions change the terms of payment of the said insurance. Interest shall be allowed on the balance of the proceeds from time to time at the credit of the payee at such rate not less than three and one-half per cent, per annum, compounded annually, as the Directors may each year determine.

17. *Annual Dividends:*

Upon payment of the second year's premium and at the end of the second and each subsequent Policy year, the Employer, while this Policy is in force, will be credited with such dividends as may be apportioned by the Directors under the rules and regulations then in force. Dividends shall, at the option of the Employer, be either (a) paid in cash or (b) applied in reduction of the next subsequent premium.



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An Act respecting The Board
of Education for the City of London

1st Reading

February 13th, 1967

2nd Reading

3rd Reading

MR. WHITE

(Private Bill)

BILL Pr35

**5TH SESSION, 27TH LEGISLATURE, ONTARIO
15-16 ELIZABETH II, 1967**

An Act respecting The Board of Education for the City of London

MR. WHITE

(Reprinted as amended by the Committee on Private Bills)

TORONTO

PRINTED AND PUBLISHED BY FRANK FOGG, QUEEN'S PRINTER

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EXPLANATORY NOTE

Section 1 as re-written is intended to replace all of section 1 of the printed Bill.

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Subsection 1 of section 1 is the same as in the printed Bill except that a reference to Schedules B to R is added. These Schedules are amendments made from time to time to the insurance contract as set out in the printed Bill.

BILL Pr35

1967

An Act respecting The Board of Education for the City of London

WHEREAS The Board of Education for the City of Preamble
London, herein called the Board, by its petition has represented that on the 12th day of July, 1927, it entered into a contract of group life insurance for its employees and its superannuated employees and amended the said contract from time to time; and whereas the petitioner has prayed for special legislation to ratify the agreement as it applied to superannuated employees and to authorize the petitioner to continue to provide group life insurance for superannuated employees and present employees upon superannuation; and whereas it is expedient to grant the prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1.—(1) The contract of group life insurance entered into Contract validated
between the Board and The London Life Insurance Company dated the 12th day of July, 1927, set forth in Schedule A hereto, as amended by the endorsements set forth in Schedules B to R hereto, shall be deemed to have been validly entered into and to be legal and binding upon the parties thereto and all payments, acts and matters carried out or done thereunder are hereby ratified and confirmed.

(2) The Board shall continue to contribute such amounts Contribution by Board
as are necessary toward the cost of group life insurance in accordance with the said contract for,

- (a) persons superannuated by the Board before this Act comes into force;
- (b) persons in the employ of the Board when this Act comes into force; and

- (c) persons referred to in clause *b* after their superannuation,

R.S.O. 1960, subject to section 41 of *The Schools Administration Act* in
o. 361 respect of persons entering the employment of the Board
after this Act comes into force.

**Commence-
ment**

2. This Act comes into force on the day it receives Royal Assent.

Short title

3. This Act may be cited as *The London Board of Education Act, 1967*.

SCHEDULE A

THE LONDON LIFE INSURANCE COMPANY

Group Policy No. G-266 LONDON CANADA (*Herein called the Company*)

HEREBY INSURES THE LIVES OF

those employees of THE BOARD OF EDUCATION of London, Canada,
(*Herein called the Employer*)

who are eligible for insurance in accordance with the Formula on the second page hereof and who make written application for insurance as hereinafter provided, the terms and particulars of the insurance under this Policy being as hereinafter set forth.

Plan of Insurance:

The insurance under this Policy is Term Insurance, commencing at noon Standard Time at the place of employment on the Twelfth day of July 1927, herein referred to as the Effective Date; and such insurance shall, subject to the terms of the Policy, be automatically continued in force upon condition of the payment of premiums as hereinafter provided.

Payment of Sum Insured:

The amount for which any employee is insured hereunder in accordance with the Formula and as set forth in the Register hereinafter described, shall be payable by the Company at its Head Office, in lawful money of Canada, upon receipt of proof that such employee has died while so insured.

Payment in the event of Total and Permanent Disability shall be made under the conditions set forth in Clause 15.

Beneficiary:

The amount payable in the event of the death of any such employee shall be for the benefit of the Beneficiary designated by such employee and named in the Register herein referred to, subject to change of Beneficiary in accordance with Clause 11. If there be no Beneficiary entitled, the amount payable shall be for the benefit of the executors, administrators or assigns of such employee.

Premiums:

Premiums calculated in accordance with the provisions relating thereto on the subsequent pages hereof, are payable quarterly in advance on the Twelfth day of each month of July, October, January and April during the continuance of this Policy, the first premium becoming due and payable on the above-mentioned Effective Date.

Policy Years:

In the interpretation of this contract the Policy years and months are to be computed from the said Effective Date.

This Policy shall be subject to all the provisions set forth on the subsequent pages hereof and to Clause 18 attached hereto.

WITNESS the seal of the Company, the signatures of the President, General Manager and Registrar of the Company, this Fifth day of October A.D. Nineteen Hundred and Twenty-seven.

THE LONDON LIFE INSURANCE CO.,
LONDON, CANADA:

ALBERT O. JEFFERY,
President.

EDWARD E. REID,
General Manager.

H. R. LAURIE,
Registrar.

[Seal]

PRIVILEGES AND CONDITIONS

1. *Formula:*

ELIGIBILITY

The following are eligible to make application for insurance hereunder:

- (a) All permanent employees who are actively employed by the Employer on the Effective Date of this Policy, or if not so employed, on their return to active service;
- (b) All employees who subsequent to the Effective Date become permanent employees of the Employer; and such employees shall be eligible to make application on the date of becoming so employed.

COVERAGE

Each eligible employee shall be entitled to secure an amount of insurance in accordance with the class of employee to which he belongs as shown in the following schedule:

Executive Heads	\$5,000.00
Male Teachers and Attendance Officer	2,000.00
Female Teachers	1,000.00
All other permanent employees	1,000.00

All Employees who are superannuated after the Effective Date of this Policy shall be entitled to continue their insurance for the same amount as they were insured on the date of superannuation.

2. *Individual Certificate:*

The Company will issue to the Employer for delivery to each person whose life is insured hereunder an individual certificate setting forth the insurance protection to which such person is entitled hereunder.

3. *Payment of Premiums:*

All premiums are payable in advance at the Head Office of the Company, but may be paid elsewhere in exchange for the Company's printed receipt, signed by the President or a Vice-President, and the General Manager or Assistant Manager, and countersigned by an authorized agent of the Company.

Thirty-one days' grace is allowed for the payment of all premiums except the first, during which time this Policy shall remain in force. If any premium be not paid within the days of grace, this Policy shall thereupon become void, but a *pro rata* premium shall, nevertheless, be paid for the days of grace or for the period between the date on which the premium became due and the date of written notice to the Company that the insurance will not be renewed.

The amount of each premium payable under this Policy shall be the aggregate of the several amounts payable in respect of each person insured hereunder at the time such premium falls due, calculated on the basis of the amount of insurance on the life of such person and his attained age (at nearest birthday) at the beginning of the then current Policy year in accordance with the table following.

The Table of Premiums as set forth below may be changed by the Company at the end of any Policy year, provided not less than six months' notice in writing shall have been given to the Employer.

Table of Quarterly Premiums for \$1,000 of Insurance

Attained Age Nearest Birthday	Premium	Attained Age Nearest Birthday	Premium	Attained Age Nearest Birthday	Premium
15	\$1.37	35	\$1.72	55	\$5.07
16	1.39	36	1.76	56	5.47
17	1.42	37	1.81	57	5.92
18	1.44	38	1.87	58	6.40
19	1.47	39	1.93	59	6.92
20	1.50	40	2.00	60	7.49
21	1.52	41	2.09	61	8.11
22	1.55	42	2.19	62	8.78
23	1.57	43	2.29	63	9.52
24	1.58	44	2.42	64	10.31
25	1.60	45	2.56	65	11.18
26	1.61	46	2.71	66	12.10
27	1.62	47	2.88	67	13.12
28	1.63	48	3.07	68	14.21
29	1.63	49	3.28	69	15.39
30	1.64	50	3.51	70	16.66
31	1.64	51	3.77	71	18.04
32	1.65	52	4.05	72	19.52
33	1.67	53	4.36	73	21.12
34	1.70	54	4.70	74	22.84

4. Stipulation:

It is hereby specifically agreed that,

- (a) at least seventy-five per cent of the employees eligible to make application for insurance under this Policy must have done so before any insurance under this Policy will become effective;
- (b) if any Employee who is not insured under this Policy on the Effective Date does not make application for insurance within ninety days after such date or after the date on which he becomes eligible for insurance, or if any employee re-applies for insurance after his insurance has been cancelled for any reason other than

termination of employment, such employee shall be required to furnish evidence of insurability satisfactory to the Company before becoming insured hereunder;

- (c) the Company reserves the right to decline to continue this Policy in force on any anniversary of the Effective Date hereof when the number of Employees insured hereunder is less than seventy-five per cent of those eligible for insurance on such anniversary;
- (d) the contribution from any individual employee for the insurance carried on such employee's life shall not be at a higher rate than sixty cents per month per \$1,000 of insurance.

5. *Register:*

A Register shall be kept by the Company (in card index form) which shall show the names of all Employees insured hereunder, and the amount of insurance on each of such Employees. Copy of said Register, as of the date of this Policy, is furnished to the Employer herewith and made part hereof, and copies of entries in said Register subsequent to said date will be furnished by the Company to the Employer and will thereupon become a part hereof.

6. *Cancellation of Insurance:*

The insurance on each employee insured hereunder shall, subject to the other terms of this Policy, continue until written request shall have been given to the Company by the Employer for cancellation of said insurance. If such request is received at the Head Office of the Company within thirty-one days after the date stated therein by the Employer for cancellation of the insurance, the insurance on such life shall terminate from the date stated in such request; but if more than thirty-one days shall have elapsed from the date for cancellation stated in the Employer's request, the insurance shall terminate from the date upon which such request is received by the Company. Refund of premiums in such cases shall be made in accordance with Clause 9 hereof. If failure to make such written request be due to clerical error on the part of the Employer, the premium refund shall be calculated from the date on which the insurance would, but for such error, have been cancelled.

7. *New Employees:*

Each new employee of the Employer shall be insured hereunder in accordance with the Formula, provided such employee makes written application for such insurance, on forms furnished by the Company, within the time and in accordance with the provisions specified in Clause 4 hereof, and the insurance on such new employee shall, unless otherwise provided herein, be effective on the date on which he becomes eligible for insurance or the date of such written application, whichever is the later. The Employer agrees to furnish to the Company the names and individual applications of such employees as they make application for insurance hereunder together with the data necessary for the purposes of the insurance; and the name of each such employee so reported, together with the amount of insurance issued, shall be entered by the Company in the said Register as of the date upon which the insurance on such employee is to take effect.

8. *Change in Amount of Insurance:*

The amount of insurance on any employee insured hereunder shall be automatically increased or decreased in accordance with the Formula. Where such increases or decreases in insurance are based on facts other than length of service of the employee, the Employer agrees to report to the Company in writing the names of all employees insured hereunder upon whose lives insurance is to be increased or decreased, together with the data necessary to compute the amount of such increase or decrease. (This clause shall be inapplicable if no increase or decrease of insurance is provided in the Formula set forth herein.)

9. *Premium Adjustment:*

Premium adjustment shall be made on account of changes in the insurance under this Policy, as follows:

There shall be refunded to the Employer any unearned premium paid on account of any employee insured hereunder whose insurance has been cancelled or decreased, such premium being calculated on a *pro rata* basis in respect of the period elapsing between the date the insurance terminates and the date to which the premium is paid.

There shall be charged to the Employer the premium for new insurance granted to employees becoming insured or for increases in insurance, such premium being calculated on a *pro rata* basis in respect of the period elapsing between the date the insurance becomes effective and the date when the next premium falls due.

In the calculation of premium adjustments an average premium shall be used, such average premium being determined by dividing the whole premium due at the beginning of the then current Policy year by the number of thousands of dollars of insurance in force under this Policy at the beginning of such year; and in the determination of the premium in respect of any period on a *pro rata* basis any portion of a Policy month less than one-half thereof shall be ignored and any portion of a Policy month greater than one-half thereof shall be treated as a full month.

10. *Conversion:*

In case of the termination of insurance on the life of any employee insured hereunder on account of such employee leaving the service of the Employer for any reason whatsoever, such employee shall have the right, upon written application to the Company within thirty-one days after such termination of insurance, to obtain, without medical examination, a new Policy on any one of the regular plans then issued by the Company, except Term Insurance, without Disability or Double Indemnity Benefits, for an amount not exceeding the amount for which said employee was insured hereunder at the time of such termination of insurance; the premium for such Policy to be at the then current rates of the Company, applicable to the class of risk to which such person belongs and to the plan and amount of Policy at the then attained age of such employee.

10A. *Conversion (Continued):*

Under the conditions specified in Clause 10 regarding conversion of insurance in case of termination of employment, an employee may secure a new policy dated as of the date when such employee became insured hereunder, on any one of the regular plans of insurance then issued by the Company, except Term Insurance, without Disability or Double Indemnity Benefits, at the premium which would have been payable if such new policy had been issued on the date when the insurance on such employee became effective hereunder, provided that there shall be payable to the Company the difference, with interest compounded annually at such rate not exceeding seven per cent as the Directors may determine, between the premiums which would have been payable under the new policy, reduced by any dividends which would have been payable, and the amount of the premiums paid to the Company in respect of the insurance on the life of such employee under this policy, reduced by any dividends in respect of such insurance.

H. R. LAURIE,
Registrar.

11. *Beneficiary:*

Any employee insured hereunder may, subject to the provisions of the law governing the same, appoint a beneficiary or may change the beneficiary already appointed or may declare that the insurance shall be for the benefit of his estate, by writing signed by such employee and deposited by the Employer with the Company at its Head Office.

12. *Age:*

If the age of any employee insured hereunder has been misstated, the amount payable under this contract shall be the full amount of insurance in force hereunder on such life, but premium adjustment shall be made so that the Employer shall pay to the Company arrears of premiums for the full time such insurance has been in force if the age has been understated, and the Company shall refund to the Employer the excess premiums paid if the age has been overstated.

13. *Incontestability:*

If the premiums are duly paid, this Policy shall, except in case of fraud or of error in age, be incontestable as to the insurance upon the life of any person insured hereunder after one year from the date on which the insurance on the life of such person commenced.

14. *Entire Contract Contained in Policy:*

This Policy, including the copy of the Register herein referred to, the application of the Employer, a copy of which is attached hereto, and the individual applications of the employees, shall constitute the entire contract between the parties. All statements made by the Employer or by any employee shall, in the absence of fraud, be deemed representations and not warranties and no such statement shall be used in defence to a claim under this Policy unless it is contained in a written application for the insurance and a copy of such application is attached to this Policy or delivered to the Employer to be so attached. This contract cannot be altered or varied in any way except in writing signed by the President, a Vice-President, the General Manager, Registrar or Assistant Registrar of the Company, and any interlineations, additions or alterations must be signed or initialed by one of the aforesaid officers.

15. *Disability Benefits:*

If evidence satisfactory to the Company is received at its Head Office that any employee while insured hereunder has become totally and permanently disabled by accident, injury, or disease before attaining the age of sixty years, so that he will be permanently, continuously and wholly prevented thereby from performing any work for compensation or profit, then, subject to the provisions of the second paragraph hereof, the Company will, in lieu of all other benefits provided for on such life under this Policy, waive that portion of each premium applicable to the insurance on the life of such disabled person, that may become payable thereafter under this Policy during such disability, and in addition to such waiver will pay to such employee the amount of insurance then in force on his life in the following manner: For each \$1,000 of such insurance, payment will, subject to election by the Employer, be made in five annual instalments of \$214.00 each, ten annual instalments of \$116.00 each, fifteen annual instalments of \$84.00 each, twenty annual instalments of \$68.00 each, or sixty monthly instalments of \$18.00 each, the first instalment being payable upon receipt of the said evidence of disability; or in lieu of payment in instalments the Employer may, subject to the approval of the Company, elect to have such insurance immediately paid in one sum. If the said employee dies during the period of total and permanent disability, any instalments remaining unpaid shall be payable as they become due to the Beneficiary of such employee, and such Beneficiary shall have the right to commute such remaining instalments into one sum on an interest basis of three and one-half per cent per annum.

Provided always that, notwithstanding such evidence of disability may have been accepted by the Company, the said employee shall during the continuance of any instalment payments, furnish satisfactory evidence of the continuance of such disability as often as required by the Company, but not oftener than once a year after such disability shall have continued for two full years. If said employee shall fail to furnish such evidence or if he shall so far recover as to be able to engage in any gainful occupation, then further waiver of premiums and payment of instalments on account

of such employee shall cease. Any further insurance on the life of such employee shall be limited to the commuted value, on an interest basis of three and one-half per cent, per annum, of the instalments remaining unpaid on account of such person at the time of such recovery.

Without prejudice to any other cause of total and permanent disability, the Company will consider the entire and irrecoverable loss of the sight of both eyes, or the total and permanent loss of use of both hands, or of both feet, or of one entire hand and one entire foot, as total and permanent disability within the meaning of this provision.

The amounts of the instalments above provided are based on an assumed interest earning of three and one-half per cent. If a higher rate of interest be earned, an interest dividend of such amount as the Company may each year determine shall be payable annually after the first instalment falls due.

16. Instalment Settlement:

Any employee insured hereunder may, by filing a written notice at the Head Office of the Company, change the terms of payment of the insurance hereunder on his life so that the Company, instead of paying such insurance in one sum, will make settlement by the payment of instalments of such amount not less than ten dollars and at such intervals as such employee may, with the approval of the Company, stipulate; or if no such notice shall have been filed prior to the death of such employee, the Employer may under like conditions change the terms of payment of the said insurance. Interest shall be allowed on the balance of the proceeds from time to time at the credit of the payee at such rate not less than three and one-half per cent, per annum, compounded annually, as the Directors may each year determine.

17. Annual Dividends:

Upon payment of the second year's premium and at the end of the second and each subsequent Policy year, the Employer, while this Policy is in force, will be credited with such dividends as may be apportioned by the Directors under the rules and regulations then in force. Dividends shall, at the option of the Employer, be either (a) paid in cash or (b) applied in reduction of the next subsequent premium.

SCHEDULE B

TO BE ATTACHED TO AND FORM PART OF GROUP POLICY NO. G-266

issued to

THE BOARD OF EDUCATION, LONDON

It is hereby agreed that the above policy be changed so as to provide that the insurance on any employee shall be determined in accordance with the following schedule:

Executive Heads	\$10,000
Male Teachers and Attendance Officer	4,000
Female Teachers and Office Staff	2,000
All Other Permanent Employees	1,000

The Schedule of insurance above set forth shall become effective upon the 17th day of November, 1928.

The other provisions of the policy remain unchanged.

Dated at London, Canada, this 6th day of February, 1930.

(Sgd.).....
Registrar

SCHEDULE C

TO BE ATTACHED TO AND FORM PART OF GROUP POLICY NO. G-266

issued to

THE LONDON BOARD OF EDUCATION

(the Employer)

In accordance with the request dated October 31, 1945 made on behalf of the above-mentioned Policy-holder (copy of which is attached hereto) the terms of the above-numbered Group Policy are hereby changed so as to provide that, effective from November 1, 1945, the School Attendance Officer and the Director of Vocational Guidance shall be eligible for \$10,000 of insurance under the said Group Policy, subject to the other terms and provisions thereof.

Dated at London, Canada, this 9th day of November, 1945.

(Sgd.).....
Registrar

SCHEDULE D

TO BE ATTACHED TO AND FORM PART OF GROUP POLICY NO. G-266

issued to

THE LONDON BOARD OF EDUCATION

(*the Employer*)

In accordance with the request dated May 12, 1947 made by the above-mentioned Employer (copy of which is attached hereto) the terms of the above-numbered Group Policy are hereby changed so as to provide that effective from June 1, 1947 public school principals shall be eligible for \$10,000 of insurance under the said Group Policy. It is provided, however, that no increase in the amount of insurance resulting from this change in schedule shall be made while an employee is not actively at work for the said Employer on full time and for full pay.

Dated at London, Canada, this 19th day of May, 1947.

(Sgd.).....
Registrar

SCHEDULE E

TO BE ATTACHED TO AND FORM PART OF GROUP POLICY NO. G-266

issued to

THE BOARD OF EDUCATION

(*the Employer*)

In accordance with the request dated June 24, 1948 made by the above-mentioned Employer (copy of which is attached hereto) the terms of the above-numbered Group Policy are hereby changed to provide that effective from August 1, 1948 the Schedule of Insurance shall be as follows:

Class of Employee	Amount of Life Insurance
Executive heads, School Attendance Officer, Director of Vocational Guidance and Public School Principals.....	\$10,000.00
Other Male Teachers.....	4,000.00
Female Teachers, Office Staff and Dentists.....	2,000.00
Caretaking and Maintenance Staffs.....	2,000.00

It is provided that no increase in the amount of Insurance resulting from the above-mentioned change in schedule shall take effect while an employee is not actively at work for the said Employer on full time and for full pay.

Dated at London, Canada, this 28th day of June, 1948.

(Sgd.).....
Registrar

SCHEDULE F

TO BE ATTACHED TO AND FORM PART OF GROUP POLICY NO. G-266

issued to

THE BOARD OF EDUCATION LONDON, CANADA

(the Employer)

In accordance with the request dated September 27, 1949 made by the above-mentioned Employer (copy of which is attached hereto) the terms of the above-numbered Group Policy are hereby changed to provide that effective from October 12, 1949 the Schedule of Insurance shall be increased to the following:

Class of Employee	Amount of Life Insurance
Executive Heads, School Attendance Officers, Director of Vocational Guidance and Public School Principals.....	\$15,000.00
Other Male Employees.....	8,000.00
Female Teachers, Office Staff and Dentists.	2,000.00
Caretaking and Maintenance Staff.....	2,000.00

It is provided that no increase in the amount of Insurance resulting from the above-mentioned change in schedule shall become effective originally while an employee is not actively at work for the said Employer on full time and for full pay.

Dated at London, Canada, this 27th day of September, 1949.

(Sgd.).....
Registrar

SCHEDULE G

TO BE ATTACHED TO AND FORM PART OF GROUP POLICY NO. G-266

issued to

THE BOARD OF EDUCATION OF LONDON, CANADA

(the Employer)

This is to certify that effective from July 12, 1951 the table of quarterly premium rates per \$1,000 of insurance shall be as shown below, subject to the provisions and conditions of the said Group Policy.

Attained Age Nearest Birthday	Premium	Attained Age Nearest Birthday	Premium	Attained Age Nearest Birthday	Premium	Attained Age Nearest Birthday	Premium
15	\$1.12	30	\$1.37	45	\$2.48	60	\$7.31
16	1.14	31	1.39	46	2.64	61	7.89
17	1.16	32	1.42	47	2.81	62	8.53
18	1.18	33	1.45	48	3.01	63	9.21
19	1.20	34	1.49	49	3.22	64	9.95
20	1.22	35	1.53	50	3.46	65	10.75
21	1.24	36	1.58	51	3.72	66	11.60
22	1.27	37	1.64	52	4.01	67	12.53
23	1.28	38	1.72	53	4.31	68	13.52
24	1.30	39	1.79	54	4.65	69	14.59
25	1.32	40	1.88	55	5.02	70	15.75
26	1.32	41	1.98	56	5.41	71	17.01
27	1.34	42	2.09	57	5.83	72	18.37
28	1.34	43	2.20	58	6.28	73	19.84
29	1.36	44	2.34	59	6.77	74	21.43

It is further provided that if the total amount of life insurance in force under the said Group Policy on any premium due date exceeds \$100,000 the total premium as determined from the Table of Premiums shown above will be reduced by \$0.18 quarterly per \$1,000 of the insurance in excess of \$100,000.

Dated at London, Canada, this 3rd day of July, 1951.

(Sgd.).....
Registrar

SCHEDULE H

TO BE ATTACHED TO AND FORM PART OF GROUP POLICY NO. G-266

issued to

THE BOARD OF EDUCATION OF LONDON, CANADA

(the Employer)

In accordance with the request dated October 15, 1951 made by the above-mentioned Employer (copy of which is attached hereto) the terms of the above-numbered Group Policy are hereby changed to provide that effective from October 12, 1949 the Schedule of Insurance shall be as follows:

Class of Employee	Amount of Insurance
Executive Heads, School Attendance Officers, Directors of Vocational Guidance, School Principals and Vice-Principals.....	\$15,000.00
Other Male Employees.....	8,000.00
Full-time Female Employees and Part time Dentists.....	2,000.00
Caretaking and Maintenance Staff.....	2,000.00

It is provided that no increase in the amount of insurance resulting from the above-mentioned change in schedule shall take effect while an employee is not actively working for the Employer on full time and for full pay.

Dated at London, Canada, this 24th day of October, 1951.

(Sgd.).....
Registrar

SCHEDULE I

TO BE ATTACHED TO AND FORM PART OF GROUP POLICY NO. G-266

issued to

THE BOARD OF EDUCATION OF LONDON, CANADA

(the Employer)

In accordance with the request dated January 6, 1954 made by the above-mentioned Employer (copy of which request is attached hereto) the terms of the above-numbered Group Policy are hereby changed to provide that effective from January 12, 1954 the Schedule of Insurance shall be as follows:

Class of Employee	Amount of Life Insurance
Executive Heads, School Attendance Officers, Director of Vocational Guidance and Public School Principals and Vice- Principals	\$15,000.00
Other Male Employees.....	8,000.00
Full-time Female Teachers, and Part-time Dentists.....	2,000.00
Caretaking and Maintenance Staff.....	3,000.00

It is provided that no increase in the amount of an employee's insurance resulting from the above-mentioned change in schedule shall take effect while such employee is not actively working for the said Employer on full time and for full pay.

Dated at London, Canada, this 22nd day of January, 1954.

(Sgd.).....
Registrar

SCHEDULE J

TO BE ATTACHED TO AND FORM PART OF GROUP POLICY NO. G-266

issued to

THE BOARD OF EDUCATION OF LONDON, CANADA

(*the Employer*)

This is to certify that effective from July 12, 1954 the terms of the above-numbered Group Policy shall be as follows:

(1) The table of quarterly premium rates per \$1,000 of insurance shall be as shown below, subject to the provisions and conditions of the said Group Policy.

These rates shall be subject to a discount of 14 per cent.

Attained Age Nearest Birthday	Premium	Attained Age Nearest Birthday	Premium	Attained Age Nearest Birthday	Premium	Attained Age Nearest Birthday	Premium
15	\$0.95	30	\$1.20	45	\$2.29	60	\$7.02
16	.97	31	1.22	46	2.44	61	7.59
17	1.00	32	1.24	47	2.61	62	8.21
18	1.01	33	1.28	48	2.81	63	8.89
19	1.03	34	1.31	49	3.01	64	9.61
20	1.05	35	1.35	50	3.24	65	10.39
21	1.07	36	1.40	51	3.50	66	11.23
22	1.10	37	1.47	52	3.78	67	12.13
23	1.11	38	1.54	53	4.08	68	13.11
24	1.13	39	1.61	54	4.42	69	14.16
25	1.14	40	1.70	55	4.77	70	15.30
26	1.15	41	1.79	56	5.16	71	16.53
27	1.17	42	1.90	57	5.57	72	17.86
28	1.17	43	2.01	58	6.01	73	19.30
29	1.18	44	2.15	59	6.50	74	20.87

In the calculation of premium adjustments an average premium shall be used, such average premium being determined by dividing the total premium due at the beginning of the then current Policy-year by the number of thousands of dollars of insurance in force under this Policy at the beginning of such Policy-year; and in the determination of the premium in respect of any period on a *pro rata* basis any fractional portion of a Policy month shall be ignored and account shall be taken only of the number of complete Policy months elapsing before the next premium date.

Dated at London, Canada, this 29th day of June, 1954.

(Sgd.).....
Registrar

SCHEDULE K

TO BE ATTACHED TO AND FORM PART OF GROUP POLICY NO. G-266

issued to

THE BOARD OF EDUCATION OF LONDON, CANADA

(the Employer)

In accordance with the request dated May 2, 1955 made by the above-mentioned Employer (copy of which request is attached hereto) the terms of the above-numbered Group Policy are hereby changed to provide that effective from June 1, 1955 the Schedule of Life Insurance shall be changed as follows:

Class of Employee	Amount of Life Insurance
Executive Heads, School Attendance Officers, Director of Vocational Guidance, School Principals and Vice Principals.....	\$15,000.00
Other Male Employees.....	8,000.00
Caretaking and Maintenance Staff.....	5,000.00
Full-time Female Employees and Part-time Dentists.....	2,000.00

Male Employees age 65 and over and Female Employees age 60 and over are not eligible for insurance as new employees or for increases resulting from increases in schedule; no reductions in amounts of insurance are made on attainment of these ages for employees already insured.

It is provided that no increase in the amount of an employee's insurance resulting from the above-mentioned change in schedule shall take effect while such employee is not actively working for the said Employer on full time and for full pay.

Dated at London, Canada, this 30th day of May, 1955.

(Sgd.).....
Registrar

SCHEDULE L

TO BE ATTACHED TO AND FORM PART OF GROUP POLICY NO. G-266

issued to

THE BOARD OF EDUCATION OF LONDON, CANADA

(the Employer)

This is to certify that effective from July 12, 1956 the terms of the above-numbered Group Policy shall be as follows:

(1) The table of quarterly premium rates per \$1,000 of insurance shall be as shown below, subject to the provisions and conditions of the said Group Policy.

These rates shall be subject to a discount of 19 per cent.

Attained Age Nearest Birthday	Premium	Attained Age Nearest Birthday	Premium	Attained Age Nearest Birthday	Premium	Attained Age Nearest Birthday	Premium
15	\$1.05	30	\$1.09	45	\$2.12	60	\$7.13
16	1.06	31	1.11	46	2.32	61	7.71
17	1.06	32	1.14	47	2.54	62	8.35
18	1.07	33	1.17	48	2.80	63	9.06
19	1.07	34	1.21	49	3.08	64	9.85
20	1.08	35	1.26	50	3.38	65	10.72
21	1.08	36	1.30	51	3.69	66	11.67
22	1.08	37	1.35	52	4.01	67	12.69
23	1.08	38	1.41	53	4.34	68	13.79
24	1.08	39	1.47	54	4.67	69	14.98
25	1.08	40	1.53	55	5.01	70	16.24
26	1.08	41	1.61	56	5.37	71	17.59
27	1.08	42	1.70	57	5.75	72	19.02
28	1.08	43	1.82	58	6.16	73	20.55
29	1.08	44	1.95	59	6.62	74	22.17

In the calculation of premium adjustments an average premium shall be used, such average premium being determined by dividing the total premium due at the beginning of the then current Policy-year by the number of thousands of dollars of insurance in force under this Policy at the beginning of such Policy-year; and in the determination of the premium in respect of any period on a *pro rata* basis any fractional portion of a Policy month shall be ignored and account shall be taken only of the number of complete Policy months elapsing before the next premium date.

Dated at London, Canada, this 27th day of July, 1956.

(Sgd.).....
Examiner

(Sgd.).....
Registrar

SCHEDULE M

TO BE ATTACHED TO AND FORM PART OF GROUP POLICY NO. G-266

issued to

THE BOARD OF EDUCATION OF LONDON, CANADA

(the Employer)

In accordance with the request dated July 9, 1958 made by the above-mentioned Employer, the terms of the above-numbered Group Policy are hereby changed so that effective from July 15, 1958 (herein called the Date of Change) the Schedule of Insurance shall be as follows:

Class of Employee	Amount of Insurance
Executive Heads, School Attendance Officers, Director of Vocational Guidance, School Principals and Vice-Principals.....	\$15,000.00
Caretaking, Maintenance Staff and other Male Employees.....	8,000.00
Full-time Female Employees and Part-time Dentists.....	2,000.00

It is provided that any increase in the amount of an employee's insurance resulting from the adoption of the above-mentioned Schedule shall take effect only if the employee is actively at work for the said Employer on full time and for full pay on the above-mentioned Date of Change. Any employee not actively at work on the said date shall be eligible for the increased amount of insurance upon his return to work with the Employer on full time and for full pay.

Dated at London, Canada, this 14th day of August, 1958.

(Sgd.).....
Examiner(Sgd.).....
Registrar

SCHEDULE N

TO BE ATTACHED TO AND FORM PART OF GROUP POLICY NO. G-266

issued to

THE BOARD OF EDUCATION OF LONDON, CANADA

(the Employer)

In accordance with the request dated March 6, 1959 made by the above-mentioned Employer the terms of the above-numbered Group Policy are changed so that effective from March 1, 1959 (herein called the Date of Change) Vice-Principals of Public Schools shall be eligible for \$15,000 of insurance under the said Group Policy.

This increase shall be subject to the provisions of the said Group Policy. It is provided as well that any increase in the amount of an employee's insurance resulting from the adoption of the above-mentioned Schedule shall take effect only if the employee is actively at work for the said Employer on full time and for full pay on the above-mentioned Date of Change. Any employee not actively at work on the said date shall be eligible for the increased amount of insurance upon his return to work with the Employer on full time and for full pay.

Dated at London, Canada, this 9th day of April, 1959.

(Sgd.)..... (Sgd.).....
Examiner Registrar

SCHEDULE O

TO BE ATTACHED TO AND FORM PART OF GROUP POLICY NO. G-266

issued to

THE BOARD OF EDUCATION OF LONDON, CANADA

(the Employer)

In accordance with the request dated February 16, 1961 made by the above-mentioned Employer the terms of the above-numbered Group Policy are hereby changed to provide that any employee or teacher added to the payroll of the London Board of Education as a result of annexation on January 1, 1961, and who was 55 years of age or over on the said date or becomes 55 years of age on or before June 30, 1961, shall not be eligible for insurance under the said Policy.

Dated at London, Canada, this 27th day of February, 1961.

(Sgd.)..... (Sgd.).....
Examiner Registrar

SCHEDULE P

TO BE ATTACHED TO AND FORM PART OF GROUP POLICY NO. G-266

issued to

THE BOARD OF EDUCATION OF LONDON, CANADA

(the Employer)

This is to certify that effective from July 12, 1961, Clause 3. "Payment of Premiums" and Clause 9. "Premium Adjustment" as at present contained in the said Policy are hereby cancelled and replaced by the following clauses:

"3. Payment of Premiums.—All premiums are payable in advance at the Head Office of the Company, but may be paid elsewhere in exchange for the Company's printed receipt, signed by the President or a Vice-President and the Managing Director, General Manager or Assistant Manager, and countersigned by an authorized agent of the Company.

Thirty-one days of grace is allowed for the payment of all premiums except the first, during which time this Policy shall remain in force unless the Employer shall notify the Company that this Policy is to be cancelled. If any premium be not paid within the period of grace, this Policy shall become void on the expiration of such period, but a *pro rata* premium shall nevertheless be paid for the days of grace. If, however, written notice is given by the Employer to the Company that this Policy is to be cancelled, this Policy shall terminate on the date of receipt of such written notice by the Company or on the date of cancellation specified by the Employer, whichever is the later, and the Employer shall be liable to the Company for the payment of the *pro rata* premium for the period between the last premium due date and the date of termination.

The amount of each premium payable under this Policy shall be the aggregate of the several amounts payable in respect of each person insured hereunder at the time such premium falls due, calculated on the basis of the amount of insurance on the life of such person and his attained age (at nearest birthday) at the beginning of the then current Policy-year in accordance with the table of premiums applicable during such Policy-year, multiplied by a premium factor determined by the Company as applicable to this Policy at the time the premium is calculated.

The Table of Premiums hereinafter set forth shall be applicable to this Policy on the above-mentioned date and thereafter until altered by the Company, but the Company may change such table at the end of any Policy-year. The premium factor applicable for the Policy-year commencing July 12, 1961 shall be 1.80.

Attained Age Nearest Birthday	Premium	Attained Age Nearest Birthday	Premium	Attained Age Nearest Birthday	Premium	Attained Age Nearest Birthday	Premium	Attained Age Nearest Birthday	Premium	Attained Age Nearest Birthday	Premium	Attained Age Nearest Birthday	Premium	Attained Age Nearest Birthday	Premium
15	\$0.19	25	\$0.20	35	\$0.27	45	\$0.63	55	\$1.85	65	\$4.25				
16	.19	26	.20	36	.29	46	.72	56	2.00	66	4.64				
17	.19	27	.20	37	.31	47	.81	57	2.16	67	5.07				
18	.19	28	.20	38	.34	48	.92	58	2.33	68	5.54				
19	.19	29	.20	39	.36	49	1.04	59	2.53	69	6.03				
20	.20	30	.20	40	.39	50	1.16	60	2.74	70	6.57				
21	.20	31	.21	41	.42	51	1.29	61	2.98	71	7.13				
22	.20	32	.22	42	.46	52	1.43	62	3.25	72	7.73				
23	.20	33	.24	43	.51	53	1.56	63	3.55	73	8.37				
24	.20	34	.25	44	.56	54	1.70	64	3.88	74	9.06				

9. Premium Adjustment.—Premium adjustment shall be made on account of changes in the insurance under this Policy, as follows:

There shall be refunded to the Employer any unearned premium paid on account of any employee insured hereunder whose insurance has been cancelled or decreased, such premium being calculated on a *pro rata* basis in respect of the period elapsing between the date the insurance terminates and the date to which the premium is paid; provided, however, that if the Employer does not give notice to the Company that the insurance shall be cancelled or decreased within thirty-one days following the date the insurance terminates, the Company shall not be required to make a refund in respect of any period prior to the date the Employer gives such notice to the Company. If failure to notify the Company that the insurance on any employee should be cancelled be due to clerical error on the part of the Employer, the premium refund shall be calculated from the date on which the insurance would, but for such error, have been cancelled.

There shall be charged to the Employer the premium for new insurance granted to employees becoming insured or for increases in insurance, such premium being calculated on a *pro rata* basis in respect of the period elapsing between the date the insurance becomes effective and the date when the next premium falls due.

In the calculation of premium adjustments an average premium shall be used, such average premium being determined by dividing the total premium due at the beginning of the then current Policy-year by the number of thousands of dollars of insurance in force under this Policy at the beginning of such Policy-year; and in the determination of the premium in respect of any period on a *pro rata* basis any fractional portion of a Policy-month shall be ignored and account shall be taken only of the number of complete Policy months elapsing before the next premium date."

Dated at London, Canada, this 7th day of July, 1961.

(Sgd.).....
Examiner

(Sgd.).....
Registrar

SCHEDULE Q

TO BE ATTACHED TO AND FORM PART OF GROUP POLICY NO. G-266

issued to

THE BOARD OF EDUCATION OF LONDON, CANADA

(the Employer)

This is to certify that effective from July 12, 1964 the Table of Premiums per \$1,000 of insurance shall be as shown below, subject to the provisions and conditions of the said Group Policy.

Attained Age Nearest Birthday	Premium per \$1,000	Attained Age Nearest Birthday	Premium per \$1,000	Attained Age Nearest Birthday	Premium per \$1,000
15	\$0.16	35	\$0.21	55	\$1.79
16	0.19	36	0.23	56	1.96
17	0.22	37	0.26	57	2.14
18	0.24	38	0.29	58	2.33
19	0.25	39	0.32	59	2.53
20	0.25	40	0.36	60	2.76
21	0.24	41	0.40	61	3.00
22	0.23	42	0.45	62	3.24
23	0.21	43	0.51	63	3.50
24	0.19	44	0.58	64	3.78
25	0.18	45	0.66	65	4.08
26	0.17	46	0.75	66	4.42
27	0.16	47	0.84	67	4.84
28	0.16	48	0.94	68	5.32
29	0.15	49	1.04	69	5.87
30	0.16	50	1.15	70	6.49
31	0.16	51	1.26	71	7.18
32	0.17	52	1.37	72	7.95
33	0.18	53	1.49	73	8.81
34	0.19	54	1.63	74	9.71

Dated at London, Canada, this 21st day of May, 1964.

(Sgd.).....*Examiner* (Sgd.).....*Registrar*

SCHEDULE R

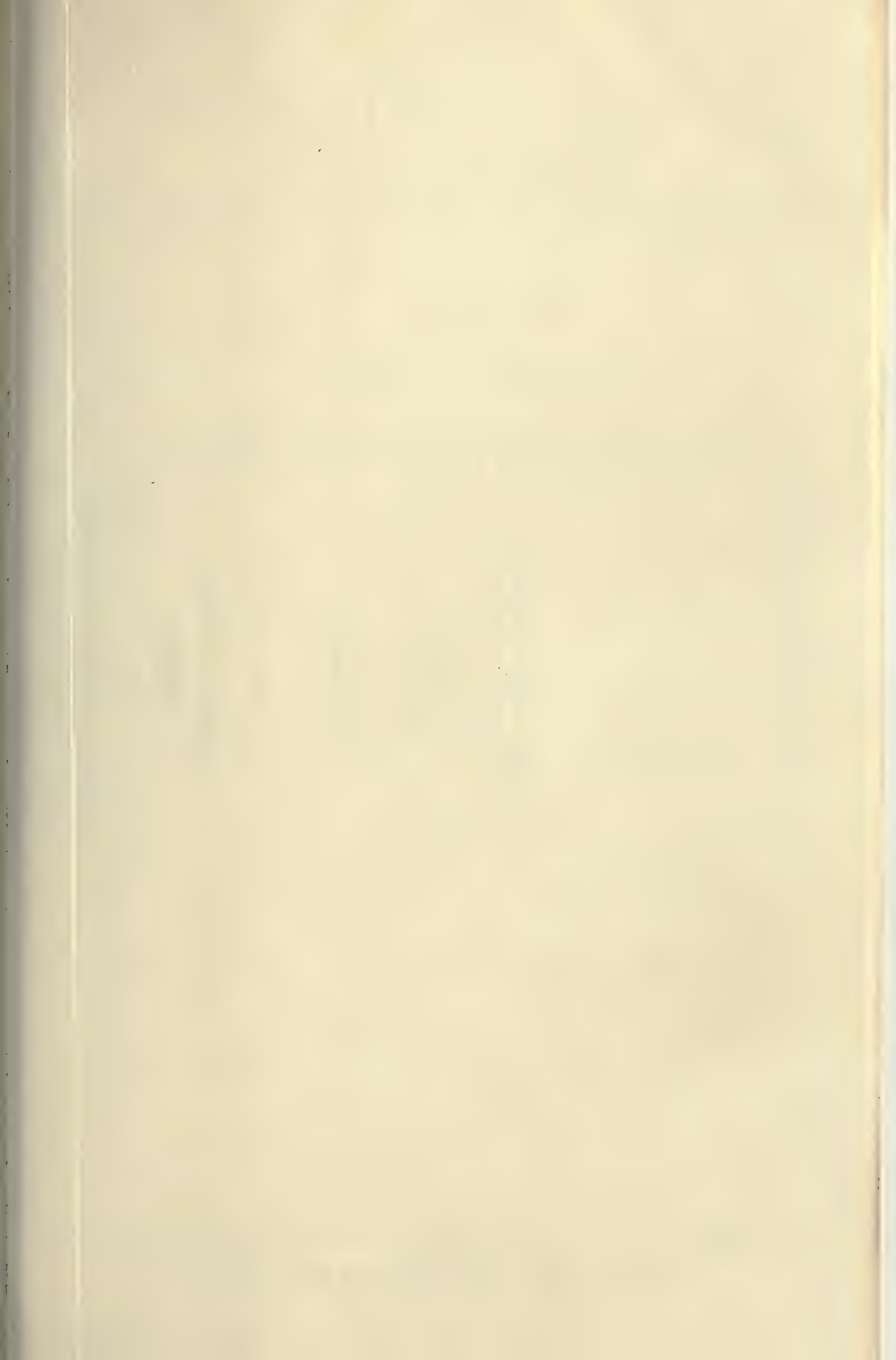
TO BE ATTACHED TO AND FORM PART OF GROUP POLICY NO. G-266
issued to

THE BOARD OF EDUCATION OF LONDON, CANADA
(*the Employer*)

This is to certify that effective from July 12, 1966 premiums under the above-numbered policy shall be payable monthly on the 12th day of each month, during the continuance of the said policy.

Dated at London, Canada, this 29th day of July, 1966.

(Sgd.).....*Examiner* (Sgd.).....*Registrar*



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TABLE VIII

THE JOURNAL OF THE AMERICAN MEDICAL ASSOCIATION
PUBLISHED WEEKLY
CHICAGO, ILL., U.S.A.
1917

ANALYSIS OF THE JOURNAL OF THE AMERICAN MEDICAL ASSOCIATION FOR THE YEAR 1917

ARTICLES	ORIGINAL ARTICLES	REVIEWS	SYMPOSIUMS	CASE REPORTS	LETTERS TO THE EDITOR	BOOK REVIEWS	NOTES	ANNOUNCEMENTS	OBITUARIES	EDITORIALS	DEPARTMENTS	ADVERTISEMENTS	TOTAL
1,000	1,000	1,000	1,000	1,000	1,000	1,000	1,000	1,000	1,000	1,000	1,000	1,000	1,000

An Act respecting The Board
of Education for the City of London

1st Reading

February 13th, 1967

2nd Reading

3rd Reading

MR. WHITE

(Reprinted as amended by the
Committee on Private Bills)

BILL Pr35

5TH SESSION, 27TH LEGISLATURE, ONTARIO
15-16 ELIZABETH II, 1967

An Act respecting The Board of Education for the City of London

MR. WHITE

BILL Pr35

1967

**An Act respecting
The Board of Education for the City of London**

WHEREAS The Board of Education for the City of ^{Preamble} London, herein called the Board, by its petition has represented that on the 12th day of July, 1927, it entered into a contract of group life insurance for its employees and its superannuated employees and amended the said contract from time to time; and whereas the petitioner has prayed for special legislation to ratify the agreement as it applied to superannuated employees and to authorize the petitioner to continue to provide group life insurance for superannuated employees and present employees upon superannuation; and whereas it is expedient to grant the prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1.—(1) The contract of group life insurance entered into ^{Contract validated} between the Board and The London Life Insurance Company dated the 12th day of July, 1927, set forth in Schedule A hereto, as amended by the endorsements set forth in Schedules B to R hereto, shall be deemed to have been validly entered into and to be legal and binding upon the parties thereto and all payments, acts and matters carried out or done thereunder are hereby ratified and confirmed.

(2) The Board shall continue to contribute such amounts ^{Contribution by Board} as are necessary toward the cost of group life insurance in accordance with the said contract for,

- (a) persons superannuated by the Board before this Act comes into force;
- (b) persons in the employ of the Board when this Act comes into force; and

(c) persons referred to in clause *b* after their superannuation,

R.S.O. 1960. subject to section 41 of *The Schools Administration Act* in
c. 361 respect of persons entering the employment of the Board
 after this Act comes into force.

**Commence-
ment**

2. This Act comes into force on the day it receives Royal Assent.

Short title

3. This Act may be cited as *The London Board of Education Act, 1967*.

SCHEDULE A

THE LONDON LIFE INSURANCE COMPANY

Group Policy No. G-266 LONDON CANADA (*Herein called the Company*)

HEREBY INSURES THE LIVES OF

those employees of THE BOARD OF EDUCATION of London, Canada,
(*Herein called the Employer*)

who are eligible for insurance in accordance with the Formula on the second page hereof and who make written application for insurance as hereinafter provided, the terms and particulars of the insurance under this Policy being as hereinafter set forth.

Plan of Insurance:

The insurance under this Policy is Term Insurance, commencing at noon Standard Time at the place of employment on the Twelfth day of July 1927, herein referred to as the Effective Date; and such insurance shall, subject to the terms of the Policy, be automatically continued in force upon condition of the payment of premiums as hereinafter provided.

Payment of Sum Insured:

The amount for which any employee is insured hereunder in accordance with the Formula and as set forth in the Register hereinafter described, shall be payable by the Company at its Head Office, in lawful money of Canada, upon receipt of proof that such employee has died while so insured.

Payment in the event of Total and Permanent Disability shall be made under the conditions set forth in Clause 15.

Beneficiary:

The amount payable in the event of the death of any such employee shall be for the benefit of the Beneficiary designated by such employee and named in the Register herein referred to, subject to change of Beneficiary in accordance with Clause 11. If there be no Beneficiary entitled, the amount payable shall be for the benefit of the executors, administrators or assigns of such employee.

Premiums:

Premiums calculated in accordance with the provisions relating thereto on the subsequent pages hereof, are payable quarterly in advance on the Twelfth day of each month of July, October, January and April during the continuance of this Policy, the first premium becoming due and payable on the above-mentioned Effective Date.

Policy Years:

In the interpretation of this contract the Policy years and months are to be computed from the said Effective Date.

This Policy shall be subject to all the provisions set forth on the subsequent pages hereof and to Clause 18 attached hereto.

WITNESS the seal of the Company, the signatures of the President, General Manager and Registrar of the Company, this Fifth day of October A.D. Nineteen Hundred and Twenty-seven.

THE LONDON LIFE INSURANCE CO.,
LONDON, CANADA:

ALBERT O. JEFFERY,
President.

EDWARD E. REID,
General Manager.

H. R. LAURIE,
Registrar.

[Seal]

PRIVILEGES AND CONDITIONS

1. *Formula:*

ELIGIBILITY

The following are eligible to make application for insurance hereunder:

- (a) All permanent employees who are actively employed by the Employer on the Effective Date of this Policy, or if not so employed, on their return to active service;
- (b) All employees who subsequent to the Effective Date become permanent employees of the Employer; and such employees shall be eligible to make application on the date of becoming so employed.

COVERAGE

Each eligible employee shall be entitled to secure an amount of insurance in accordance with the class of employee to which he belongs as shown in the following schedule:

Executive Heads.....	\$5,000.00
Male Teachers and Attendance Officer.....	2,000.00
Female Teachers.....	1,000.00
All other permanent employees.....	1,000.00

All Employees who are superannuated after the Effective Date of this Policy shall be entitled to continue their insurance for the same amount as they were insured on the date of superannuation.

2. *Individual Certificate:*

The Company will issue to the Employer for delivery to each person whose life is insured hereunder an individual certificate setting forth the insurance protection to which such person is entitled hereunder.

3. *Payment of Premiums:*

All premiums are payable in advance at the Head Office of the Company, but may be paid elsewhere in exchange for the Company's printed receipt, signed by the President or a Vice-President, and the General Manager or Assistant Manager, and countersigned by an authorized agent of the Company.

Thirty-one days' grace is allowed for the payment of all premiums except the first, during which time this Policy shall remain in force. If any premium be not paid within the days of grace, this Policy shall thereupon become void, but a *pro rata* premium shall, nevertheless, be paid for the days of grace or for the period between the date on which the premium became due and the date of written notice to the Company that the insurance will not be renewed.

The amount of each premium payable under this Policy shall be the aggregate of the several amounts payable in respect of each person insured hereunder at the time such premium falls due, calculated on the basis of the amount of insurance on the life of such person and his attained age (at nearest birthday) at the beginning of the then current Policy year in accordance with the table following.

The Table of Premiums as set forth below may be changed by the Company at the end of any Policy year, provided not less than six months' notice in writing shall have been given to the Employer.

Table of Quarterly Premiums for \$1,000 of Insurance

Attained Age Nearest Birthday	Premium	Attained Age Nearest Birthday	Premium	Attained Age Nearest Birthday	Premium
15	\$1.37	35	\$1.72	55	\$5.07
16	1.39	36	1.76	56	5.47
17	1.42	37	1.81	57	5.92
18	1.44	38	1.87	58	6.40
19	1.47	39	1.93	59	6.92
20	1.50	40	2.00	60	7.49
21	1.52	41	2.09	61	8.11
22	1.55	42	2.19	62	8.78
23	1.57	43	2.29	63	9.52
24	1.58	44	2.42	64	10.31
25	1.60	45	2.56	65	11.18
26	1.61	46	2.71	66	12.10
27	1.62	47	2.88	67	13.12
28	1.63	48	3.07	68	14.21
29	1.63	49	3.28	69	15.39
30	1.64	50	3.51	70	16.66
31	1.64	51	3.77	71	18.04
32	1.65	52	4.05	72	19.52
33	1.67	53	4.36	73	21.12
34	1.70	54	4.70	74	22.84

4. *Stipulation:*

It is hereby specifically agreed that,

- (a) at least seventy-five per cent of the employees eligible to make application for insurance under this Policy must have done so before any insurance under this Policy will become effective;
- (b) if any Employee who is not insured under this Policy on the Effective Date does not make application for insurance within ninety days after such date or after the date on which he becomes eligible for insurance, or if any employee re-applies for insurance after his insurance has been cancelled for any reason other than

termination of employment, such employee shall be required to furnish evidence of insurability satisfactory to the Company before becoming insured hereunder;

- (c) the Company reserves the right to decline to continue this Policy in force on any anniversary of the Effective Date hereof when the number of Employees insured hereunder is less than seventy-five per cent of those eligible for insurance on such anniversary;
- (d) the contribution from any individual employee for the insurance carried on such employee's life shall not be at a higher rate than sixty cents per month per \$1,000 of insurance.

5. *Register:*

A Register shall be kept by the Company (in card index form) which shall show the names of all Employees insured hereunder, and the amount of insurance on each of such Employees. Copy of said Register, as of the date of this Policy, is furnished to the Employer herewith and made part hereof, and copies of entries in said Register subsequent to said date will be furnished by the Company to the Employer and will thereupon become a part hereof.

6. *Cancellation of Insurance:*

The insurance on each employee insured hereunder shall, subject to the other terms of this Policy, continue until written request shall have been given to the Company by the Employer for cancellation of said insurance. If such request is received at the Head Office of the Company within thirty-one days after the date stated therein by the Employer for cancellation of the insurance, the insurance on such life shall terminate from the date stated in such request; but if more than thirty-one days shall have elapsed from the date for cancellation stated in the Employer's request, the insurance shall terminate from the date upon which such request is received by the Company. Refund of premiums in such cases shall be made in accordance with Clause 9 hereof. If failure to make such written request be due to clerical error on the part of the Employer, the premium refund shall be calculated from the date on which the insurance would, but for such error, have been cancelled.

7. *New Employees:*

Each new employee of the Employer shall be insured hereunder in accordance with the Formula, provided such employee makes written application for such insurance, on forms furnished by the Company, within the time and in accordance with the provisions specified in Clause 4 hereof, and the insurance on such new employee shall, unless otherwise provided herein, be effective on the date on which he becomes eligible for insurance or the date of such written application, whichever is the later. The Employer agrees to furnish to the Company the names and individual applications of such employees as they make application for insurance hereunder together with the data necessary for the purposes of the insurance; and the name of each such employee so reported, together with the amount of insurance issued, shall be entered by the Company in the said Register as of the date upon which the insurance on such employee is to take effect.

8. *Change in Amount of Insurance:*

The amount of insurance on any employee insured hereunder shall be automatically increased or decreased in accordance with the Formula. Where such increases or decreases in insurance are based on facts other than length of service of the employee, the Employer agrees to report to the Company in writing the names of all employees insured hereunder upon whose lives insurance is to be increased or decreased, together with the data necessary to compute the amount of such increase or decrease. (This clause shall be inapplicable if no increase or decrease of insurance is provided in the Formula set forth herein.)

9. *Premium Adjustment:*

Premium adjustment shall be made on account of changes in the insurance under this Policy, as follows:

There shall be refunded to the Employer any unearned premium paid on account of any employee insured hereunder whose insurance has been cancelled or decreased, such premium being calculated on a *pro rata* basis in respect of the period elapsing between the date the insurance terminates and the date to which the premium is paid.

There shall be charged to the Employer the premium for new insurance granted to employees becoming insured or for increases in insurance, such premium being calculated on a *pro rata* basis in respect of the period elapsing between the date the insurance becomes effective and the date when the next premium falls due.

In the calculation of premium adjustments an average premium shall be used, such average premium being determined by dividing the whole premium due at the beginning of the then current Policy year by the number of thousands of dollars of insurance in force under this Policy at the beginning of such year; and in the determination of the premium in respect of any period on a *pro rata* basis any portion of a Policy month less than one-half thereof shall be ignored and any portion of a Policy month greater than one-half thereof shall be treated as a full month.

10. *Conversion:*

In case of the termination of insurance on the life of any employee insured hereunder on account of such employee leaving the service of the Employer for any reason whatsoever, such employee shall have the right, upon written application to the Company within thirty-one days after such termination of insurance, to obtain, without medical examination, a new Policy on any one of the regular plans then issued by the Company, except Term Insurance, without Disability or Double Indemnity Benefits, for an amount not exceeding the amount for which said employee was insured hereunder at the time of such termination of insurance; the premium for such Policy to be at the then current rates of the Company, applicable to the class of risk to which such person belongs and to the plan and amount of Policy at the then attained age of such employee.

10A. *Conversion (Continued):*

Under the conditions specified in Clause 10 regarding conversion of insurance in case of termination of employment, an employee may secure a new policy dated as of the date when such employee became insured hereunder, on any one of the regular plans of insurance then issued by the Company, except Term Insurance, without Disability or Double Indemnity Benefits, at the premium which would have been payable if such new policy had been issued on the date when the insurance on such employee became effective hereunder, provided that there shall be payable to the Company the difference, with interest compounded annually at such rate not exceeding seven per cent as the Directors may determine, between the premiums which would have been payable under the new policy, reduced by any dividends which would have been payable, and the amount of the premiums paid to the Company in respect of the insurance on the life of such employee under this policy, reduced by any dividends in respect of such insurance.

H. R. LAURIE,
Registrar.

11. *Beneficiary:*

Any employee insured hereunder may, subject to the provisions of the law governing the same, appoint a beneficiary or may change the beneficiary already appointed or may declare that the insurance shall be for the benefit of his estate, by writing signed by such employee and deposited by the Employer with the Company at its Head Office.

12. *Age:*

If the age of any employee insured hereunder has been misstated, the amount payable under this contract shall be the full amount of insurance in force hereunder on such life, but premium adjustment shall be made so that the Employer shall pay to the Company arrears of premiums for the full time such insurance has been in force if the age has been understated, and the Company shall refund to the Employer the excess premiums paid if the age has been overstated.

13. *Incontestability:*

If the premiums are duly paid, this Policy shall, except in case of fraud or of error in age, be incontestable as to the insurance upon the life of any person insured hereunder after one year from the date on which the insurance on the life of such person commenced.

14. *Entire Contract Contained in Policy:*

This Policy, including the copy of the Register herein referred to, the application of the Employer, a copy of which is attached hereto, and the individual applications of the employees, shall constitute the entire contract between the parties. All statements made by the Employer or by any employee shall, in the absence of fraud, be deemed representations and not warranties and no such statement shall be used in defence to a claim under this Policy unless it is contained in a written application for the insurance and a copy of such application is attached to this Policy or delivered to the Employer to be so attached. This contract cannot be altered or varied in any way except in writing signed by the President, a Vice-President, the General Manager, Registrar or Assistant Registrar of the Company, and any interlineations, additions or alterations must be signed or initialed by one of the aforesaid officers.

15. *Disability Benefits:*

If evidence satisfactory to the Company is received at its Head Office that any employee while insured hereunder has become totally and permanently disabled by accident, injury, or disease before attaining the age of sixty years, so that he will be permanently, continuously and wholly prevented thereby from performing any work for compensation or profit, then, subject to the provisions of the second paragraph hereof, the Company will, in lieu of all other benefits provided for on such life under this Policy, waive that portion of each premium applicable to the insurance on the life of such disabled person, that may become payable thereafter under this Policy during such disability, and in addition to such waiver will pay to such employee the amount of insurance then in force on his life in the following manner: For each \$1,000 of such insurance, payment will, subject to election by the Employer, be made in five annual instalments of \$214.00 each, ten annual instalments of \$116.00 each, fifteen annual instalments of \$84.00 each, twenty annual instalments of \$68.00 each, or sixty monthly instalments of \$18.00 each, the first instalment being payable upon receipt of the said evidence of disability; or in lieu of payment in instalments the Employer may, subject to the approval of the Company, elect to have such insurance immediately paid in one sum. If the said employee dies during the period of total and permanent disability, any instalments remaining unpaid shall be payable as they become due to the Beneficiary of such employee, and such Beneficiary shall have the right to commute such remaining instalments into one sum on an interest basis of three and one-half per cent per annum.

Provided always that, notwithstanding such evidence of disability may have been accepted by the Company, the said employee shall during the continuance of any instalment payments, furnish satisfactory evidence of the continuance of such disability as often as required by the Company, but not oftener than once a year after such disability shall have continued for two full years. If said employee shall fail to furnish such evidence or if he shall so far recover as to be able to engage in any gainful occupation, then further waiver of premiums and payment of instalments on account

of such employee shall cease. Any further insurance on the life of such employee shall be limited to the commuted value, on an interest basis of three and one-half per cent, per annum, of the instalments remaining unpaid on account of such person at the time of such recovery.

Without prejudice to any other cause of total and permanent disability, the Company will consider the entire and irrecoverable loss of the sight of both eyes, or the total and permanent loss of use of both hands, or of both feet, or of one entire hand and one entire foot, as total and permanent disability within the meaning of this provision.

The amounts of the instalments above provided are based on an assumed interest earning of three and one-half per cent. If a higher rate of interest be earned, an interest dividend of such amount as the Company may each year determine shall be payable annually after the first instalment falls due.

16. Instalment Settlement:

Any employee insured hereunder may, by filing a written notice at the Head Office of the Company, change the terms of payment of the insurance hereunder on his life so that the Company, instead of paying such insurance in one sum, will make settlement by the payment of instalments of such amount not less than ten dollars and at such intervals as such employee may, with the approval of the Company, stipulate; or if no such notice shall have been filed prior to the death of such employee, the Employer may under like conditions change the terms of payment of the said insurance. Interest shall be allowed on the balance of the proceeds from time to time at the credit of the payee at such rate not less than three and one-half per cent, per annum, compounded annually, as the Directors may each year determine.

17. Annual Dividends:

Upon payment of the second year's premium and at the end of the second and each subsequent Policy year, the Employer, while this Policy is in force, will be credited with such dividends as may be apportioned by the Directors under the rules and regulations then in force. Dividends shall, at the option of the Employer, be either (a) paid in cash or (b) applied in reduction of the next subsequent premium.

SCHEDULE B

TO BE ATTACHED TO AND FORM PART OF GROUP POLICY NO. G-266

issued to

THE BOARD OF EDUCATION, LONDON

It is hereby agreed that the above policy be changed so as to provide that the insurance on any employee shall be determined in accordance with the following schedule:

Executive Heads	\$10,000
Male Teachers and Attendance Officer	4,000
Female Teachers and Office Staff	2,000
All Other Permanent Employees	1,000

The Schedule of insurance above set forth shall become effective upon the 17th day of November, 1928.

The other provisions of the policy remain unchanged.

Dated at London, Canada, this 6th day of February, 1930.

(Sgd.).....
Registrar

SCHEDULE C

TO BE ATTACHED TO AND FORM PART OF GROUP POLICY NO. G-266

issued to

THE LONDON BOARD OF EDUCATION

(the Employer)

In accordance with the request dated October 31, 1945 made on behalf of the above-mentioned Policy-holder (copy of which is attached hereto) the terms of the above-numbered Group Policy are hereby changed so as to provide that, effective from November 1, 1945, the School Attendance Officer and the Director of Vocational Guidance shall be eligible for \$10,000 of insurance under the said Group Policy, subject to the other terms and provisions thereof.

Dated at London, Canada, this 9th day of November, 1945.

(Sgd.).....
Registrar

SCHEDULE D

TO BE ATTACHED TO AND FORM PART OF GROUP POLICY NO. G-266

issued to

THE LONDON BOARD OF EDUCATION

(*the Employer*)

In accordance with the request dated May 12, 1947 made by the above-mentioned Employer (copy of which is attached hereto) the terms of the above-numbered Group Policy are hereby changed so as to provide that effective from June 1, 1947 public school principals shall be eligible for \$10,000 of insurance under the said Group Policy. It is provided, however, that no increase in the amount of insurance resulting from this change in schedule shall be made while an employee is not actively at work for the said Employer on full time and for full pay.

Dated at London, Canada, this 19th day of May, 1947.

(Sgd.).....
Registrar

SCHEDULE E

TO BE ATTACHED TO AND FORM PART OF GROUP POLICY NO. G-266

issued to

THE BOARD OF EDUCATION

(*the Employer*)

In accordance with the request dated June 24, 1948 made by the above-mentioned Employer (copy of which is attached hereto) the terms of the above-numbered Group Policy are hereby changed to provide that effective from August 1, 1948 the Schedule of Insurance shall be as follows:

Class of Employee	Amount of Life Insurance
Executive heads, School Attendance Officer, Director of Vocational Guidance and Public School Principals.....	\$10,000.00
Other Male Teachers.....	4,000.00
Female Teachers, Office Staff and Dentists...	2,000.00
Caretaking and Maintenance Staffs.....	2,000.00

It is provided that no increase in the amount of Insurance resulting from the above-mentioned change in schedule shall take effect while an employee is not actively at work for the said Employer on full time and for full pay.

Dated at London, Canada, this 28th day of June, 1948.

(Sgd.).....
Registrar

SCHEDULE F

TO BE ATTACHED TO AND FORM PART OF GROUP POLICY NO. G-266

issued to

THE BOARD OF EDUCATION LONDON, CANADA

(the Employer)

In accordance with the request dated September 27, 1949 made by the above-mentioned Employer (copy of which is attached hereto) the terms of the above-numbered Group Policy are hereby changed to provide that effective from October 12, 1949 the Schedule of Insurance shall be increased to the following:

Class of Employee	Amount of Life Insurance
Executive Heads, School Attendance Officers, Director of Vocational Guidance and Public School Principals.....	\$15,000.00
Other Male Employees.....	8,000.00
Female Teachers, Office Staff and Dentists.	2,000.00
Caretaking and Maintenance Staff.....	2,000.00

It is provided that no increase in the amount of Insurance resulting from the above-mentioned change in schedule shall become effective originally while an employee is not actively at work for the said Employer on full time and for full pay.

Dated at London, Canada, this 27th day of September, 1949.

(Sgd.).....
Registrar

SCHEDULE G

TO BE ATTACHED TO AND FORM PART OF GROUP POLICY NO. G-266

issued to

THE BOARD OF EDUCATION OF LONDON, CANADA

(the Employer)

This is to certify that effective from July 12, 1951 the table of quarterly premium rates per \$1,000 of insurance shall be as shown below, subject to the provisions and conditions of the said Group Policy.

Attained Age Nearest Birthday	Premium	Attained Age Nearest Birthday	Premium	Attained Age Nearest Birthday	Premium	Attained Age Nearest Birthday	Premium
15	\$1.12	30	\$1.37	45	\$2.48	60	\$7.31
16	1.14	31	1.39	46	2.64	61	7.89
17	1.16	32	1.42	47	2.81	62	8.53
18	1.18	33	1.45	48	3.01	63	9.21
19	1.20	34	1.49	49	3.22	64	9.95
20	1.22	35	1.53	50	3.46	65	10.75
21	1.24	36	1.58	51	3.72	66	11.60
22	1.27	37	1.64	52	4.01	67	12.53
23	1.28	38	1.72	53	4.31	68	13.52
24	1.30	39	1.79	54	4.65	69	14.59
25	1.32	40	1.88	55	5.02	70	15.75
26	1.32	41	1.98	56	5.41	71	17.01
27	1.34	42	2.09	57	5.83	72	18.37
28	1.34	43	2.20	58	6.28	73	19.84
29	1.36	44	2.34	59	6.77	74	21.43

It is further provided that if the total amount of life insurance in force under the said Group Policy on any premium due date exceeds \$100,000 the total premium as determined from the Table of Premiums shown above will be reduced by \$0.18 quarterly per \$1,000 of the insurance in excess of \$100,000.

Dated at London, Canada, this 3rd day of July, 1951.

(Sgd.).....
Registrar

SCHEDULE H

TO BE ATTACHED TO AND FORM PART OF GROUP POLICY NO. G-266

issued to

THE BOARD OF EDUCATION OF LONDON, CANADA

(the Employer)

In accordance with the request dated October 15, 1951 made by the above-mentioned Employer (copy of which is attached hereto) the terms of the above-numbered Group Policy are hereby changed to provide that effective from October 12, 1949 the Schedule of Insurance shall be as follows:

Class of Employee	Amount of Insurance
Executive Heads, School Attendance Officers, Directors of Vocational Guidance, School Principals and Vice-Principals.....	\$15,000.00
Other Male Employees.....	8,000.00
Full-time Female Employees and Part time Dentists.....	2,000.00
Caretaking and Maintenance Staff.....	2,000.00

It is provided that no increase in the amount of insurance resulting from the above-mentioned change in schedule shall take effect while an employee is not actively working for the Employer on full time and for full pay.

Dated at London, Canada, this 24th day of October, 1951.

(Sgd.).....
Registrar

SCHEDULE I

TO BE ATTACHED TO AND FORM PART OF GROUP POLICY NO. G-266

issued to

THE BOARD OF EDUCATION OF LONDON, CANADA

(the Employer)

In accordance with the request dated January 6, 1954 made by the above-mentioned Employer (copy of which request is attached hereto) the terms of the above-numbered Group Policy are hereby changed to provide that effective from January 12, 1954 the Schedule of Insurance shall be as follows:

Class of Employee	Amount of Life Insurance
Executive Heads, School Attendance Officers, Director of Vocational Guidance and Public School Principals and Vice- Principals	\$15,000.00
Other Male Employees.....	8,000.00
Full-time Female Teachers, and Part-time Dentists.....	2,000.00
Caretaking and Maintenance Staff.....	3,000.00

It is provided that no increase in the amount of an employee's insurance resulting from the above-mentioned change in schedule shall take effect while such employee is not actively working for the said Employer on full time and for full pay.

Dated at London, Canada, this 22nd day of January, 1954.

(Sgd.).....
Registrar

SCHEDULE J

TO BE ATTACHED TO AND FORM PART OF GROUP POLICY NO. G-266

issued to

THE BOARD OF EDUCATION OF LONDON, CANADA

(the Employer)

This is to certify that effective from July 12, 1954 the terms of the above-numbered Group Policy shall be as follows:

(1) The table of quarterly premium rates per \$1,000 of insurance shall be as shown below, subject to the provisions and conditions of the said Group Policy.

These rates shall be subject to a discount of 14 per cent.

Attained Age Nearest Birthday	Premium	Attained Age Nearest Birthday	Premium	Attained Age Nearest Birthday	Premium	Attained Age Nearest Birthday	Premium
15	\$0.95	30	\$1.20	45	\$2.29	60	\$7.02
16	.97	31	1.22	46	2.44	61	7.59
17	1.00	32	1.24	47	2.61	62	8.21
18	1.01	33	1.28	48	2.81	63	8.89
19	1.03	34	1.31	49	3.01	64	9.61
20	1.05	35	1.35	50	3.24	65	10.39
21	1.07	36	1.40	51	3.50	66	11.23
22	1.10	37	1.47	52	3.78	67	12.13
23	1.11	38	1.54	53	4.08	68	13.11
24	1.13	39	1.61	54	4.42	69	14.16
25	1.14	40	1.70	55	4.77	70	15.30
26	1.15	41	1.79	56	5.16	71	16.53
27	1.17	42	1.90	57	5.57	72	17.86
28	1.17	43	2.01	58	6.01	73	19.30
29	1.18	44	2.15	59	6.50	74	20.87

In the calculation of premium adjustments an average premium shall be used, such average premium being determined by dividing the total premium due at the beginning of the then current Policy-year by the number of thousands of dollars of insurance in force under this Policy at the beginning of such Policy-year; and in the determination of the premium in respect of any period on a *pro rata* basis any fractional portion of a Policy month shall be ignored and account shall be taken only of the number of complete Policy months elapsing before the next premium date.

Dated at London, Canada, this 29th day of June, 1954.

(Sgd.).....
Registrar

SCHEDULE K

TO BE ATTACHED TO AND FORM PART OF GROUP POLICY NO. G-266

issued to

THE BOARD OF EDUCATION OF LONDON, CANADA

(the Employer)

In accordance with the request dated May 2, 1955 made by the above-mentioned Employer (copy of which request is attached hereto) the terms of the above-numbered Group Policy are hereby changed to provide that effective from June 1, 1955 the Schedule of Life Insurance shall be changed as follows:

Class of Employee	Amount of Life Insurance
Executive Heads, School Attendance Officers, Director of Vocational Guidance, School Principals and Vice Principals.....	\$15,000.00
Other Male Employees.....	8,000.00
Caretaking and Maintenance Staff.....	5,000.00
Full-time Female Employees and Part-time Dentists.....	2,000.00

Male Employees age 65 and over and Female Employees age 60 and over are not eligible for insurance as new employees or for increases resulting from increases in schedule; no reductions in amounts of insurance are made on attainment of these ages for employees already insured.

It is provided that no increase in the amount of an employee's insurance resulting from the above-mentioned change in schedule shall take effect while such employee is not actively working for the said Employer on full time and for full pay.

Dated at London, Canada, this 30th day of May, 1955.

(Sgd.).....
Registrar

SCHEDULE L

TO BE ATTACHED TO AND FORM PART OF GROUP POLICY NO. G-266

issued to

THE BOARD OF EDUCATION OF LONDON, CANADA

(the Employer)

This is to certify that effective from July 12, 1956 the terms of the above-numbered Group Policy shall be as follows:

(1) The table of quarterly premium rates per \$1,000 of insurance shall be as shown below, subject to the provisions and conditions of the said Group Policy.

These rates shall be subject to a discount of 19 per cent.

Attained Age Nearest Birthday	Premium	Attained Age Nearest Birthday	Premium	Attained Age Nearest Birthday	Premium	Attained Age Nearest Birthday	Premium
15	\$1.05	30	\$1.09	45	\$2.12	60	\$7.13
16	1.06	31	1.11	46	2.32	61	7.71
17	1.06	32	1.14	47	2.54	62	8.35
18	1.07	33	1.17	48	2.80	63	9.06
19	1.07	34	1.21	49	3.08	64	9.85
20	1.08	35	1.26	50	3.38	65	10.72
21	1.08	36	1.30	51	3.69	66	11.67
22	1.08	37	1.35	52	4.01	67	12.69
23	1.08	38	1.41	53	4.34	68	13.79
24	1.08	39	1.47	54	4.67	69	14.98
25	1.08	40	1.53	55	5.01	70	16.24
26	1.08	41	1.61	56	5.37	71	17.59
27	1.08	42	1.70	57	5.75	72	19.02
28	1.08	43	1.82	58	6.16	73	20.55
29	1.08	44	1.95	59	6.62	74	22.17

In the calculation of premium adjustments an average premium shall be used, such average premium being determined by dividing the total premium due at the beginning of the then current Policy-year by the number of thousands of dollars of insurance in force under this Policy at the beginning of such Policy-year; and in the determination of the premium in respect of any period on a *pro rata* basis any fractional portion of a Policy month shall be ignored and account shall be taken only of the number of complete Policy months elapsing before the next premium date.

Dated at London, Canada, this 27th day of July, 1956.

(Sgd.).....
Examiner

(Sgd.).....
Registrar

SCHEDULE M

TO BE ATTACHED TO AND FORM PART OF GROUP POLICY NO. G-266

issued to

THE BOARD OF EDUCATION OF LONDON, CANADA

(the Employer)

In accordance with the request dated July 9, 1958 made by the above-mentioned Employer, the terms of the above-numbered Group Policy are hereby changed so that effective from July 15, 1958 (herein called the Date of Change) the Schedule of Insurance shall be as follows:

Class of Employee	Amount of Insurance
Executive Heads, School Attendance Officers, Director of Vocational Guidance, School Principals and Vice-Principals.	\$15,000.00
Caretaking, Maintenance Staff and other Male Employees.	8,000.00
Full-time Female Employees and Part-time Dentists.	2,000.00

It is provided that any increase in the amount of an employee's insurance resulting from the adoption of the above-mentioned Schedule shall take effect only if the employee is actively at work for the said Employer on full time and for full pay on the above-mentioned Date of Change. Any employee not actively at work on the said date shall be eligible for the increased amount of insurance upon his return to work with the Employer on full time and for full pay.

Dated at London, Canada, this 14th day of August, 1958.

(Sgd.).....
Examiner(Sgd.).....
Registrar

SCHEDULE N

TO BE ATTACHED TO AND FORM PART OF GROUP POLICY NO. G-266

issued to

THE BOARD OF EDUCATION OF LONDON, CANADA

(the Employer)

In accordance with the request dated March 6, 1959 made by the above-mentioned Employer the terms of the above-numbered Group Policy are changed so that effective from March 1, 1959 (herein called the Date of Change) Vice-Principals of Public Schools shall be eligible for \$15,000 of insurance under the said Group Policy.

This increase shall be subject to the provisions of the said Group Policy. It is provided as well that any increase in the amount of an employee's insurance resulting from the adoption of the above-mentioned Schedule shall take effect only if the employee is actively at work for the said Employer on full time and for full pay on the above-mentioned Date of Change. Any employee not actively at work on the said date shall be eligible for the increased amount of insurance upon his return to work with the Employer on full time and for full pay.

Dated at London, Canada, this 9th day of April, 1959.

(Sgd.)..... (Sgd.).....
Examiner Registrar

SCHEDULE O

TO BE ATTACHED TO AND FORM PART OF GROUP POLICY NO. G-266

issued to

THE BOARD OF EDUCATION OF LONDON, CANADA

(the Employer)

In accordance with the request dated February 16, 1961 made by the above-mentioned Employer the terms of the above-numbered Group Policy are hereby changed to provide that any employee or teacher added to the payroll of the London Board of Education as a result of annexation on January 1, 1961, and who was 55 years of age or over on the said date or becomes 55 years of age on or before June 30, 1961, shall not be eligible for insurance under the said Policy.

Dated at London, Canada, this 27th day of February, 1961.

(Sgd.)..... (Sgd.).....
Examiner Registrar

SCHEDULE P

TO BE ATTACHED TO AND FORM PART OF GROUP POLICY NO. G-266

issued to

THE BOARD OF EDUCATION OF LONDON, CANADA

(the Employer)

This is to certify that effective from July 12, 1961, Clause 3. "Payment of Premiums" and Clause 9. "Premium Adjustment" as at present contained in the said Policy are hereby cancelled and replaced by the following clauses:

"3. Payment of Premiums.—All premiums are payable in advance at the Head Office of the Company, but may be paid elsewhere in exchange for the Company's printed receipt, signed by the President or a Vice-President and the Managing Director, General Manager or Assistant Manager, and countersigned by an authorized agent of the Company.

Thirty-one days of grace is allowed for the payment of all premiums except the first, during which time this Policy shall remain in force unless the Employer shall notify the Company that this Policy is to be cancelled. If any premium be not paid within the period of grace, this Policy shall become void on the expiration of such period, but a *pro rata* premium shall nevertheless be paid for the days of grace. If, however, written notice is given by the Employer to the Company that this Policy is to be cancelled, this Policy shall terminate on the date of receipt of such written notice by the Company or on the date of cancellation specified by the Employer, whichever is the later, and the Employer shall be liable to the Company for the payment of the *pro rata* premium for the period between the last premium due date and the date of termination.

The amount of each premium payable under this Policy shall be the aggregate of the several amounts payable in respect of each person insured hereunder at the time such premium falls due, calculated on the basis of the amount of insurance on the life of such person and his attained age (at nearest birthday) at the beginning of the then current Policy-year in accordance with the table of premiums applicable during such Policy-year, multiplied by a premium factor determined by the Company as applicable to this Policy at the time the premium is calculated.

The Table of Premiums hereinafter set forth shall be applicable to this Policy on the above-mentioned date and thereafter until altered by the Company, but the Company may change such table at the end of any Policy-year. The premium factor applicable for the Policy-year commencing July 12, 1961 shall be 1.80.

Attained Age Nearest Birthday	Premium	Attained Age Nearest Birthday	Premium	Attained Age Nearest Birthday	Premium	Attained Age Nearest Birthday	Premium	Attained Age Nearest Birthday	Premium	Attained Age Nearest Birthday	Premium
15	\$0.19	25	\$0.20	35	\$0.27	45	\$0.63	55	\$1.85	65	\$4.25
16	.19	26	.20	36	.29	46	.72	56	2.00	66	4.64
17	.19	27	.20	37	.31	47	.81	57	2.16	67	5.07
18	.19	28	.20	38	.34	48	.92	58	2.33	68	5.54
19	.19	29	.20	39	.36	49	1.04	59	2.53	69	6.03
20	.20	30	.20	40	.39	50	1.16	60	2.74	70	6.57
21	.20	31	.21	41	.42	51	1.29	61	2.98	71	7.13
22	.20	32	.22	42	.46	52	1.43	62	3.25	72	7.73
23	.20	33	.24	43	.51	53	1.56	63	3.55	73	8.37
24	.20	34	.25	44	.56	54	1.70	64	3.88	74	9.06

9. Premium Adjustment.—Premium adjustment shall be made on account of changes in the insurance under this Policy, as follows:

There shall be refunded to the Employer any unearned premium paid on account of any employee insured hereunder whose insurance has been cancelled or decreased, such premium being calculated on a *pro rata* basis in respect of the period elapsing between the date the insurance terminates and the date to which the premium is paid; provided, however, that if the Employer does not give notice to the Company that the insurance shall be cancelled or decreased within thirty-one days following the date the insurance terminates, the Company shall not be required to make a refund in respect of any period prior to the date the Employer gives such notice to the Company. If failure to notify the Company that the insurance on any employee should be cancelled be due to clerical error on the part of the Employer, the premium refund shall be calculated from the date on which the insurance would, but for such error, have been cancelled.

There shall be charged to the Employer the premium for new insurance granted to employees becoming insured or for increases in insurance, such premium being calculated on a *pro rata* basis in respect of the period elapsing between the date the insurance becomes effective and the date when the next premium falls due.

In the calculation of premium adjustments an average premium shall be used, such average premium being determined by dividing the total premium due at the beginning of the then current Policy-year by the number of thousands of dollars of insurance in force under this Policy at the beginning of such Policy-year; and in the determination of the premium in respect of any period on a *pro rata* basis any fractional portion of a Policy-month shall be ignored and account shall be taken only of the number of complete Policy months elapsing before the next premium date."

Dated at London, Canada, this 7th day of July, 1961.

(Sgd.).....
Examiner

(Sgd.).....
Registrar

SCHEDULE Q

TO BE ATTACHED TO AND FORM PART OF GROUP POLICY NO. G-266

issued to

THE BOARD OF EDUCATION OF LONDON, CANADA

(the Employer)

This is to certify that effective from July 12, 1964 the Table of Premiums per \$1,000 of insurance shall be as shown below, subject to the provisions and conditions of the said Group Policy.

Attained Age Nearest Birthday	Premium per \$1,000	Attained Age Nearest Birthday	Premium per \$1,000	Attained Age Nearest Birthday	Premium per \$1,000
15	\$0.16	35	\$0.21	55	\$1.79
16	0.19	36	0.23	56	1.96
17	0.22	37	0.26	57	2.14
18	0.24	38	0.29	58	2.33
19	0.25	39	0.32	59	2.53
20	0.25	40	0.36	60	2.76
21	0.24	41	0.40	61	3.00
22	0.23	42	0.45	62	3.24
23	0.21	43	0.51	63	3.50
24	0.19	44	0.58	64	3.78
25	0.18	45	0.66	65	4.08
26	0.17	46	0.75	66	4.42
27	0.16	47	0.84	67	4.84
28	0.16	48	0.94	68	5.32
29	0.15	49	1.04	69	5.87
30	0.16	50	1.15	70	6.49
31	0.16	51	1.26	71	7.18
32	0.17	52	1.37	72	7.95
33	0.18	53	1.49	73	8.81
34	0.19	54	1.63	74	9.71

Dated at London, Canada, this 21st day of May, 1964.

(Sgd.)..... (Sgd.).....
Examiner Registrar

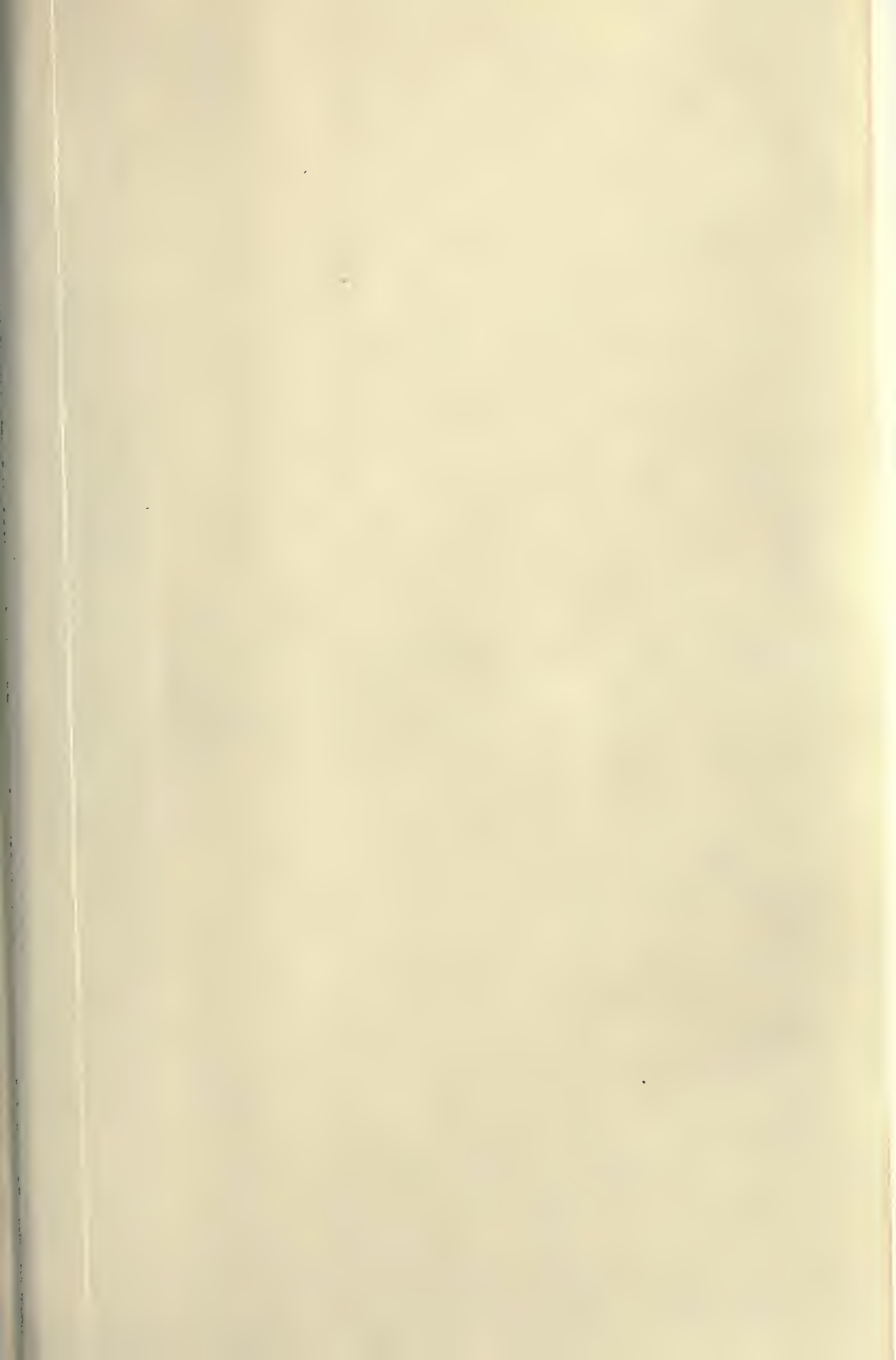
SCHEDULE R

TO BE ATTACHED TO AND FORM PART OF GROUP POLICY NO. G-266
 issued to
 THE BOARD OF EDUCATION OF LONDON, CANADA
 (*the Employer*)

This is to certify that effective from July 12, 1966 premiums under the above-numbered policy shall be payable monthly on the 12th day of each month, during the continuance of the said policy.

Dated at London, Canada, this 29th day of July, 1966.

(Sgd.)..... (Sgd.).....
Examiner Registrar





An Act respecting The Board
of Education for the City of London

1st Reading

February 13th, 1967

2nd Reading

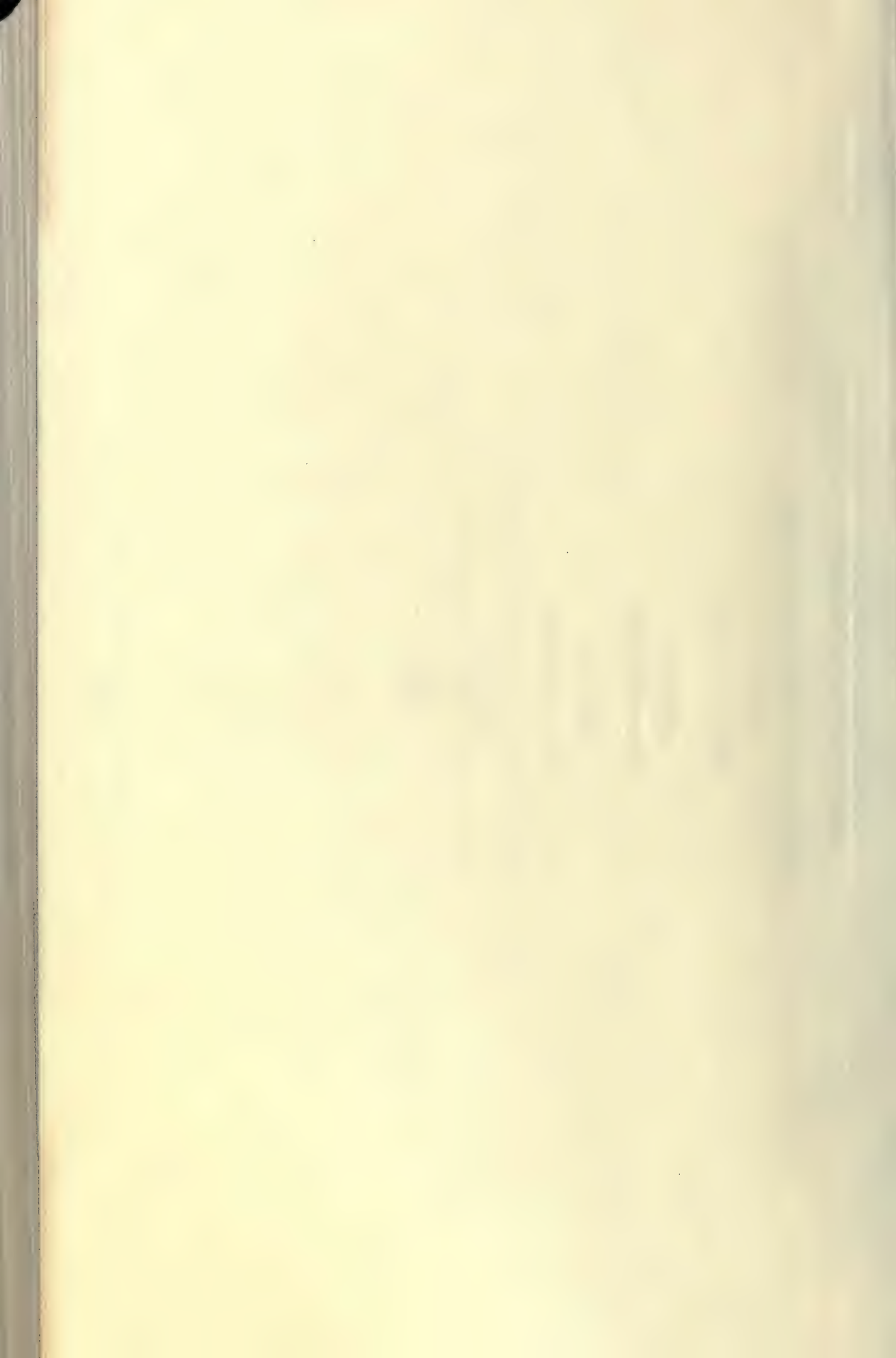
March 20th, 1967

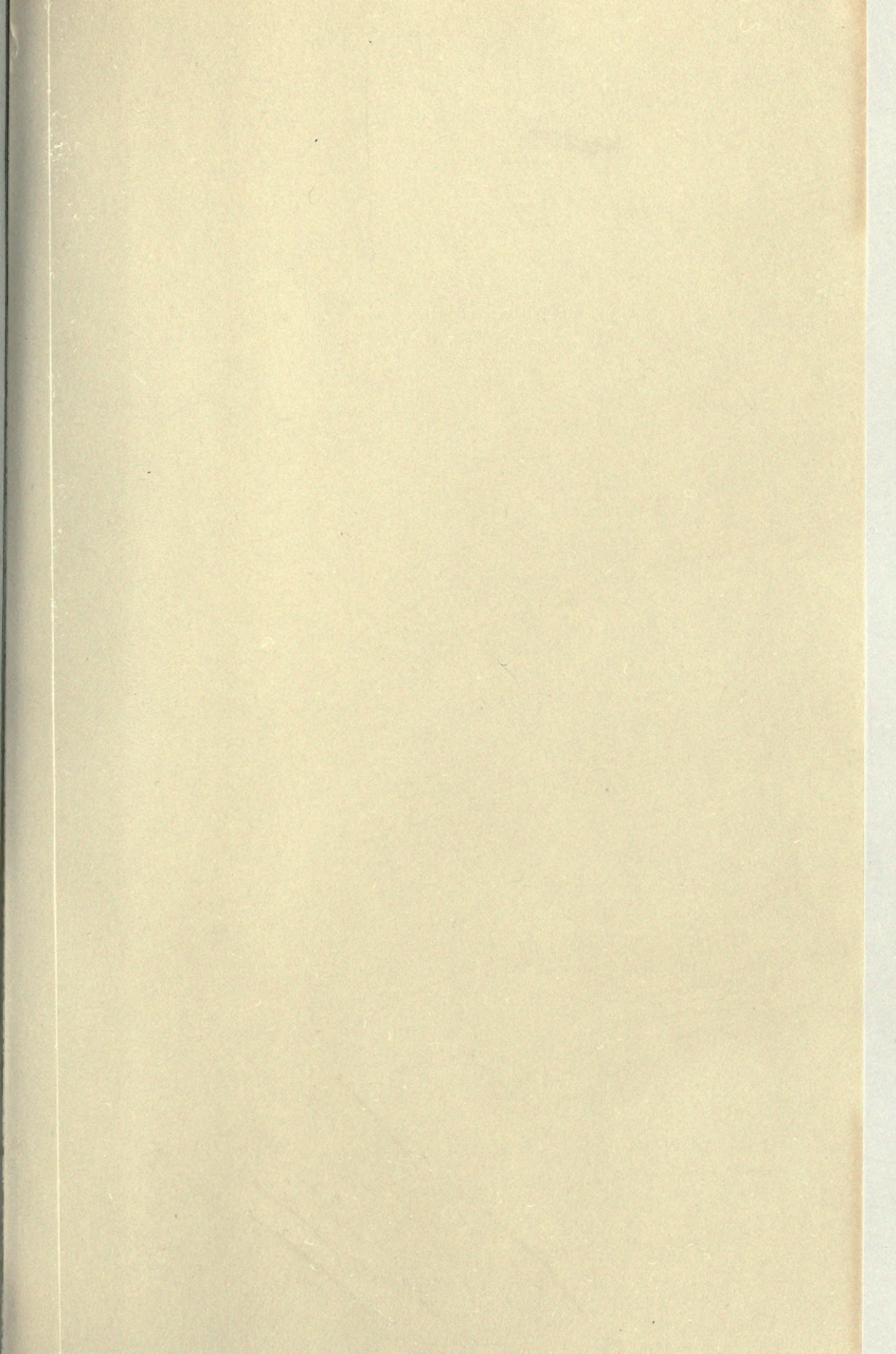
3rd Reading

March 22nd, 1967

MR. WHITE







MAR 7 1908

